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HANSARD'S

PARLIAMENTARY DEBATES,

VOL. XCII.

HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

10° VICTORIÆ, 1847.

VOL. XCII.

COMPRISING THE PERIOD FROM

THE TWENTY-SEVENTH DAY OF APRIL,

TO

THE FIRST DAY OF JUNE, 1847.

Fourth Volume of the Session.

LONDON:

PRINTED AND PUBLISHED FOR MR. HANSARD,

BY G. WOODFALL AND SON, ANGEL COURT, SKINNER STREET;

AND BY

LONGMAN AND CO.; C. DOLMAN; J. RODWELL; J. BOOTH; HATCHARD AND SON; J. RIDGWAY; CALKIN AND BUDD; R. H. EVANS; J. BIGG AND SON; J. BAIN; J. M. RICHARDSON; P. RICHARDSON; ALLEN AND CO.; AND R. BALDWIN.

1847.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *SEVENTH SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 19 JANUARY, 1847, IN THE TENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, April 27, 1846.

MINUTES.] PUBLIC BILLS. 1ª Lunatic Asylums.
2ª Commons Inclosure (No. 2); Prisons (Ireland); Incumbered Estates (Ireland.)
3ª and passed:—Customs Duties; Insolvent Debtors Act Amendment.
Received the Royal Assent.—Fever (Ireland).

PETITIONS PRESENTED. From Morley and a great number of other places, against the proposed Government Plan of Education.—From Awre, against any further Concession or Support being granted to the Roman Catholics.—From Arbroath and several other places, in favour of the proposed Government Plan of Education.—By the Marquess of Lansdowne, from Guardians of the Mountmelick Union, against any Clause being inserted in the Bill which would throw the Responsibility of Supporting the Poor on the Occupying Tenant.—By Lord Monteagle, from the Parish of Christchurch, Surrey, for the Better Observance of the Sabbath.—From Maryborough and Moira, against the Poor Relief (Ireland) Bill.—From North Greenhoe and the Eastern Division of Norfolk, for the Repeal of the Malt Tax.

COLLIERY EXPLOSIONS.

EARL FITZWILLIAM presented a petition from the coroner's jury which inquired into the death of the seventy-three persons who recently perished from the explosion of the foul air in a coal mine near Barnsley, in the West Riding of Yorkshire. The petitioners prayed that means might be taken to ensure the adoption of proper means of ventilation, and also that an efficient system of inspection might be introduced as likely to be of utility in the prevention of accidents. So far as he was personally concerned, he had no objection to a system of inspection, a system already in operation as to some other purposes, and he had no doubt it might be advantageously extended to this purpose also.

The BISHOP of DURHAM urged the great importance of some means being adopted to prevent colliery accidents. The subject was well worthy the attention of Her Majesty's Government, for the loss of life was far greater than any one not connected with the working of collieries could imagine.

LORD WHARNCLIFFE hoped the Government would turn their attention to this most important subject. At the same time he feared the petitioners expected more advantages to arise from a system of inspection than it would be found capable of affording. In factories it might be good, but

in coal mines the benefit would be extremely doubtful. Besides, the parties themselves generally maintained inspection, and these accidents occurred for the most part through neglect on the part of the sufferers of the rules laid down.

LORD CAMPBELL assured the noble Earl that Her Majesty's Government felt the great importance of the subject mentioned in the petition. The loss of life in coal mines was most lamentable, and it was sufficient to bring discredit on the national character that means were not taken to abate it. He feared, however, that inspection could do but little in that respect. The best inspection and supervision was from the owners and the managers of mines; and he would remind the House that by his Bill of last year, if life was lost by negligence, the surviving friends of the party would have had a remedy. There could be no doubt that if that Bill had passed, the sums awarded in damages would have made the parties more careful.

INCUMBERED ESTATES (IRELAND) BILL.

The LORD CHANCELLOR moved the Second Reading of this Bill. The noble and learned Lord, who was imperfectly heard, said he anticipated that this measure, if carried out, would have the effect of relieving to a considerable degree many landlords in Ireland. He had heard from all quarters that it frequently happened that landed property in Ireland was incumbered to its full value and to the entire amount of the rent. The person who had such a property was nominally in possession of a considerable estate; but he derived no benefit from it, and he was unable to perform the duties that were expected from him as a landlord. The mortgagee or incumbrancer had no interest in the land either, as it was quite immaterial to him how it was managed provided he got the interest of his mortgage. He had no motive for interesting himself in the welfare of the property, while the real proprietor was left in charge of the management of the estate without deriving any income from it. This was undoubtedly a great evil to the individuals, but it was also a great national evil. The difficulty was, however, not only great, but the way out of it was extremely hard. Unless the party who had the first incumbrance on the estate, and in whose possession the title-deeds remained, consented to give them up for the purpose, it was impossible for the owner to get any third party to clear off the incumbrances, or to purchase the estate. The person who was to advance the money could have no security for it, as he could not get the title-deeds until the money was paid to the first incumbrancer. The latter party could, in such a case, continue the incumbrance, and throw the greatest obstacles in the way of clearing the estate of it. His position was in fact actually that described by Lord Eldon, who on being asked for advice by a first mortgagee, told him to put the title-deeds in a box and to sit on it, and that he might then set the world at defiance. These were the difficulties which existed even in this country. In England the incumbrancer who was desirous of obtaining payment of a mortgage could only do so by filing a bill to foreclose the mortgage, but he had no power to compel the mortgagor to direct a sale of the estate or to pay the money. In Ireland the incumbrancer wss enabled, on going before a court of equity, to obtain a decree for the sale of the estate; but the mortgagor could not do so. Their Lordships might be aware that the expenses of proceedings in the Court of Chancery in Ireland were very heavy; and the expenses incident to proceedings with regard to estates bore no sort of relative proportion to their value. Where the estate was large and of considerable value, the expenses were relatively small; but where the estate was small, those expenses bore ruinously heavy upon it. He was very anxious to provide some plan by which the expenses in Chancery with regard to proceedings in cases of incumbered estates should be lessened; and it was therefore proposed by the Bill before their Lordships to do away with all the preliminary machinery of filing bills and answers, and all the other forms that had to be gone through at present, and to permit the litigating parties to apply at once to the Lord Chancellor, stating the fact that the estate was incumbered, and praying that it be referred to the Master in Chancery, that he might inquire into the whole circumstances, and arrange to bring the property to a sale. It was proposed that any incumbrancer might apply; but as there was danger lest, in cases where the owner of a settled estate was no more than the nominal owner—the estate being incumbered beyond its value, and he being therefore only ostensibly the owner, without having any real interest in the property, he might join with some one

of the incumbrancers who might have a mortgage for a small amount—it should be referred to the master to examine and see whether the estate was worth more than the incumbrances. He would propose that when it was proved to a Master in Chancery that the estate was worth more than the incumbrance, then the estate should be sold, and the money paid into court, and, in the mean time, all litigation should take place with reference to the money, and not to the estate. The object of the Bill was to promote the speedy sale of estates, and to provide that, pending all proceedings, the lands could be let and the tenants attended to properly.

The MARQUESS of WESTMEATH thanked the noble and learned Lord for having introduced such a measure; but he could not help thinking that when the noble Lord should come to consider it further in Committee, he would find some means by which the expenses might be still further considerably diminished. He thought, also, that when a case should come before a Master in Chancery, the mode of receiving *viva voce* evidence in open court might be adopted, instead of the present doubtful as well as expensive and tedious system of receiving testimony by interrogatory. He thought that the Bill would be of considerable benefit to Ireland.

The EARL of WICKLOW thought that nothing could be more likely to prove eventually beneficial to Ireland than the measure proposed; and he could not help saying, that he was surprised at finding no such recommendation in the report of the Commission at the head of which had been the Earl of Devon; for it appeared to him, from much of the reasoning and of the evidence in that report, that some such measure was pointed out as being absolutely necessary. He begged, however, to call attention to the 7th Clause of the Bill, the operation of which would be, as it appeared to him, directly against the principle of the measure, and calculated to prevent the useful working of it. That clause provided that where only one incumbrancer upon any estate should object or refuse his consent, the court should not, without the consent of that incumbrancer, permit the sale of the land. Now, for the very reasons given by the noble and learned Lord himself, persons holding mortgages upon an estate might not be willing to assist the sale. The great object of the measure ought to be, to free property now incumbered so far as to prevent the owners from performing the duties of landlords; and he feared the effect of the clause would be to obstruct the setting of it free.

LORD ASHBURTON made some observations on the measure which were inaudible in the gallery.

LORD MONTEAGLE said, that it was a matter of every-day occurrence in Ireland to find cases in Chancery handed down year after year, and from generation to generation, until the whole value of the estate which formed the subject of litigation was swallowed up. He himself (Lord Monteagle) lived in a part of the country surrounded by estates in the condition of being, to use a phrase perfectly well understood in Ireland, "under the courts;" and they were mere dens of pauperism, there not being one single individual connected with them who could be pointed out as standing in the position of owner, or whose business it was to look after the tenants. The immediate effect, he thought, of the Bill would be, that the quantity of land which would be brought into the market would diminish the value of land for a time. The provision for effecting sale brought him to the consideration of a most important matter. He trusted, most sincerely, that, under the working of the Bill, estates would be sold in smaller parcels than had generally been the case in Ireland hitherto. He feared that some of the evils dreaded by the noble Lord who had just spoken (Lord Ashburton) might occur, unless great care were taken. He meant by the purchasing of estates with borrowed money. That had been one of the causes of selling land in Ireland in large masses; and it was, in fact, only exchanging one incumbered estate for another. But if anything could raise the condition of Ireland more than another, it would be the raising a class of smaller proprietors. There was no one who knew anything about the condition of Ireland who did not grieve to think of its condition from the absence of a middle class of proprietors; one that should stand between the larger class and the lower, or cottiers. Such a middle class formed the strength of a country. He did not know whether the Bill before them would effect any change or improvement in the system of registration; but a greater good could not be done to the landed proprietors than by the improvement of the system of registry. Through the difficulties that had been cast around it, the last state of the landed proprietors of Ireland had been made, under

the Registration Act, worse than the first. But he thought, in any case, that the Bill before them would be of the very greatest benefit to the country.

The LORD CHANCELLOR explained the effect and object of the 7th Clause.

Bill read a second time.

House adjourned.

HOUSE OF COMMONS,

Tuesday, April 27, 1847.

MINUTES.] PETITIONS PRESENTED. By Mr. W. Baillie and Mr. E. Ellice, from several places, against the Marriage (Scotland) Bill.—By Mr. Hume, from Leeds, for Inquiry respecting the Rajah of Sattara.—By Sir De L. Evans, from London and Westminster, for Alteration of the Law relating to Coffee House Keepers, &c.—By Mr. Spooner, from Thomas Barber Wright, John Harlow, and Thomas Clutton Salt, of Birmingham, and from Members of the Stock Exchange of Edinburgh, for Consideration respecting the Currency.—By several hon. Members, from a great many places, against the proposed Plan of Education.—By Sir T. D. Acland and other hon. Members, from several places, in favour of the proposed Plan of Education.—By Mr. Frewen, from William Holmes, of Arundel, Sussex, for Alteration of the Law of Entailed Estates.—By Mr. J. Tollemache, from Wallasey, in favour of the Health of Towns Bill.—By Mr. Hastie, from Paisley, for an Efficient Poor Law (Ireland).—By Mr. S. Crawford, and Lord J. Russell, from several places, against the Introduction of a certain Clause into the Poor Relief (Ireland) Bill.—By Mr. P. Bennet, from Hadleigh, for Repeal or Alteration of the Poor Removal Act.—By Mr. G. Philips, from Poole, in favour of the Ports, Harbours, &c. (1846) Bill.—By Mr. Beckett, from Leeds, for the Suppression of Promiscuous Intercourse.—By Mr. E. Ellice, from the East of Fife Railway Company, against the Railways Bill.—By Mr. W. Baillie and Mr. E. Ellice, from several places, against the Registering of Births, &c. (Scotland) Bill.—By Lord Norreys, from Guardians of the Poor of the Headington Union, for Alteration of the Law of Settlement.—By Mr. Bankes, from Holwell, for Inquiry respecting the Sherbourne Union.—From Farmers and Graziers, against the Removal of Smithfield Market.—By Mr. Duncan, from Dundee, for Alteration of the Law respecting the Transference of Heritable Property (Scotland).

JUDGES TAKING FEES (SCOTLAND).

MR. WATSON put a question to the Lord Advocate, of which he had given him notice. It related to the Scotch Judges. It had been stated that the Scotch Judges, the Lords of Session, engaged in the arbitration of private suits, and received fees from the parties for so doing. He begged to know if this were the practice, and, if it were, whether the Lord Advocate approved of it?

The LORD ADVOCATE had to state that he was not aware of the prevalence of any such practice as that the Scotch Judges undertook the arbitration of private suits, and received fees for their services. He thought he could state distinctly that the Scotch Judges were not in the habit of doing so. He knew many Scotch Judges who on every occasion and unconditionally had refused to take arbitrations in private suits; he believed, however, that there were Judges who in some cases, in reference to peculiar circumstances, and upon the extreme urgency of the parties, had condescended to take arbitrations, and had decided certain points in difference as referees; but he was not aware of any case in which it had interfered with the official discharge of any duty. If the hon. and learned Member alluded to a recent case which had caused some discussion, he could say that the Judge who took the arbitration did so at the most urgent entreaty of both parties. The reference was decided at a time when the Judge had no official business nor duty to perform, and no fee or other remuneration had been accepted. The hon. and learned Gentleman had been pleased to ask his opinion whether he approved of such a practice? Perhaps, having stated that there were some Judges who had on particular occasions taken arbitrations, it would be hardly fair for him to express an opinion. At the same time he had no hesitation in stating that he thought those Judges who had refused to take arbitrations, under any circumstances or on any consideration, had adopted the better course.

MR. WATSON wished to know whether fees had been taken by the Judges on any occasion?

The LORD ADVOCATE thought that the hon. and learned Member pressed him a little too hard; but he was not aware that in any case fees had been given to the Judges. Did the hon. and learned Member mean to make any charge?

MR. WATSON: None at all.

The LORD ADVOCATE: I am not aware that fees were ever taken.

LORD DALHOUSIE'S ACT.

MR. NEWDEGATE, seeing the head of the Railway Commissioners in his place, wished to put a question to him respecting what was commonly called Lord Dalhousie's Act, concerning joint-stock companies, and consequently railway companies. He was aware that a similar question to that he proposed to put had been already asked by the hon. Member for Wolverhampton, and that the answer had been that some legal provisions would be introduced to amend Lord Dalhousie's Act. The consequence of the answer had been, that numerous petitions from persons concerned in railway companies which had failed in carrying out their objects had been delayed. In those petitions they set forth, that owing

to the decision of the Bankruptcy Commissioners that the assent of the shareholders must be procured before a company can be declared bankrupt, and to the expense contingent upon proceedings at law and in equity, as shown in the case of Small and Attwood, they were in a most unhappy position. They hoped therefore that Government would declare itself one way or the other, and bring forward some Bill to amend Lord Dalhousie's Act during the present Session.

MR. STRUTT could not answer for any department but his own: he had no intention during the present Session of bringing in any such Bill. True it was that one or two applications had been made to the board; but the Commissioners saw no immediate necessity for the introduction of any such Bill.

NEWFOUNDLAND.

SIR J. PAKINGTON adverted to the present state of Newfoundland, and to the Act which, having expired in September last, had been renewed in the last Session. He wished to know what were the intentions of Government as to that colony in the present Session. Was it meant again to legislate temporarily or permanently? and if permanently, would any material change be made in the Act of 1842?

MR. HAWES said, that the hon. Baronet was quite correct in what he had said respecting the existing state of the law. It was absolutely necessary to pass a new Act, and it was intended to be of a permanent character. Under it the old constitution would be allowed to revive; but at the same time the powers vested by the Act of 1842 in the Queen, as regarded electoral districts and simultaneous voting, would be continued. With that single change the old constitution would be revived.

THE WRECK OF THE TWEED.

SIR W. JAMES stated, that he had not long since presented a petition to the House, taking notice of an intention on the part of Her Majesty's Government to bestow a medal upon the persons who had assisted in saving the lives which were in danger of being lost at the wreck of the *Tweed*. The petition to which he referred had been signed by several eminent artists —all that they desired was a fair competition and a fair opportunity of proving themselves worthy to share some portion of the patronage of the Crown. He wished to know from the noble Lord at the head of the Government whether the hopes entertained by the petitioners stood any chance of being realized?

LORD J. RUSSELL replied, that the First Lord of the Admiralty had been in communication with Mr. Wyon on the subject, and he believed that the medal was to be supplied by the usual artist. He had reason to know that the grant of the medal had given great satisfaction.

SEAMEN'S ENLISTMENT.

SIR C. NAPIER rose to move for leave to bring in a Bill to amend the Seamen's Enlistment Act. The naval force of this country consisted of nearly 100 sail of the line, besides frigates and smaller vessels, together with upwards of 150 steam-boats. Since the peace no attempt had been made to establish a regular system for manning the Royal Navy, although he believed that every foreign State had adopted some system of the kind. In France very stringent regulations were in force under the name of conscription; the men were collected from various provinces, and were compelled to serve for five years. The consequence was that the French Government could man its Navy much more rapidly, though by no means so efficiently, as our Government. In Russia, Denmark, and Sweden, a system had also been established; and this country was almost a solitary exception to the rule. True it was that the right hon. Member for Dorchester (Sir J. Graham) had introduced a Registration Bill, under which all seamen were registered, and an Enlistment Bill, by which the Crown was enabled to call upon men to serve. Those Bills were strongly opposed by the mercantile marine, and it was not without considerable difficulty that they were carried. He now came to Sir James Graham's Enlistment Bill. By that Bill the Government had authority to issue proclamations calling on all seamen in Great and Ireland to come within five days and volunteer to serve in Her Majesty's Navy. If they did so volunteer, they received a double bounty, which amounted to something like *5l.* in the case of an able seaman: if they did not, they rendered themselves liable to impressment at any moment. It also gave power to Her Majesty's naval officers to board merchant ships at sea, or in harbour, and to offer the men half an hour to decide whether they would volunteer. That was certainly rather sharp practice; but he did not think that the

power which the State possessed at present was one whit too great. For instance, suppose it was found necessary suddenly to increase the Navy four or five sail of the line, without some such power it would be impossible to find men for them. It was clearly proved in 1840 and 1841, when it became necessary to increase the Navy in the Mediterranean, that to depend on voluntary enlistment was totally out of the question. The great objection to Sir James Graham's Bill, however, was, that in the event of the Government requiring an addition to its naval force of two or three thousand men, they had no other means of getting seamen than by calling out the whole of the seamen in the merchant service, and subjecting themselves to an expenditure of 300,000*l.* or 400,000*l.* In the case of a popular war, though perhaps only a few thousand men might be wanted, the probability was that some 20,000 or 30,000 men would come forward in the hope of receiving the double bounty, the consequence of which would be that the whole commercial navy would be deranged, whilst immense expense and inconvenience would be occasioned. The measure which he proposed, instead of adding to the expense, would cause a considerable saving to the country; and he really did not see how any one in that House could possibly object to it. It would have given him great satisfaction if the Government had brought forward the measure; but as the Admiralty had not, he felt it to be his duty to introduce the measure himself. His proposition was, that Her Majesty should call out at any time, in peace or war, by proclamation, whatever seamen might at any time be required. The registered men would be called on in rotation, as they came out of their apprenticeship, for one, two, three, or four years. They should first try to gain the number by voluntary means; but, when that failed, then they should issue a proclamation, calling on those who had been one year released from their apprenticeship to come forward; then, if these were not sufficient, call on those two years out of their time, and so on. He would not have any impressment; but he would have it so ordered that no merchant ships should be allowed to ship any seamen who were thus called out. His object was in the first place to get the number of men they required in the time of peace—to enable, in fact, the Crown to call them out whenever they might be required, without waiting until the country was actually engaged in a war. He thought it reasonable, however, that the seamen should not receive double bounties until war had actually commenced; and he would limit the word "war" to actual hostilities with one of the great nations of Europe, or with North America, leaving it optional with the Government either to give the bounty or refuse it in such cases as the war in Syria or China. To the horrible system of impressment, he trusted they should never again revert; indeed, he was quite certain this country would never tolerate the system of impressment again. At all events, he was certain the seamen would not stand it; if they did, all he could say of them was, that they would be great fools. Then, with regard to pressing men on shore. In the time of war, a man could not walk about the streets of London without being picked up. No man was safe, nobody was respected; and had the Speaker himself happened to be walking near the dock, he would certainly have been carried away. The House might have been waiting for their Speaker, while the Speaker himself might have been caged up in the press-room of the guard-ship anchored off the Tower. The men who were pressed were denied the use of ink or paper, and before they could find out where they had got to, they were shipped off to the Nore. To such a system it would be impossible again to have recourse. He trusted the Government would open their eyes and do all in their power to favour voluntary enlistment. Even with all the inducements they could use, they could not wholly succeed. A north-country sailor, who traded to Hull or to Newcastle, regarded the service on board a man-of-war with horror, and would not, on any persuasion, enter the Navy. He thought they ought to begin at once, and do something to alter the present condition of things. He believed that if this Amendment were agreed to, the seamen would soon get accustomed to it, and it would not be considered a hardship. It would place this country in a position to meet any great emergency that might arise, and he begged to press it upon the attention of the House.

Mr. WARD said, it was not his intention to give any opposition to the introduction of the proposed Bill. He had not yet seen it; and he could take no share in the merit if it succeeded, or any part of the responsibility if it failed. It was a very large and difficult subject, so large and so difficult that the hon. and gallant Member had

himself complained of the indisposition of every Government to interfere with it. He should be most happy to see any practical and practicable mode suggested in the Bill for accomplishing what was so desirable, viz., the laying the foundation for a naval reserve in this country, and the turning to some advantage the extensive machinery of the Registration Act, which up to this time had produced very little benefit.

Leave given.

DECIMAL COINAGE.

Dr. BOWRING rose to move a Resolution, the effect of which would be the introduction of a decimal system into our coinage, and its adoption into our mode of keeping accounts. He was glad to have received much encouragement in a great variety of communications with which he had been favoured, all showing that the public mind was prepared for the changes he proposed; and that there was a general conviction of the great advantages of a decimal system of coinage, over the complex system now existing. Among many schemes, that which he was about to suggest met with the most general acceptance. He knew how strong was the feeling—the prejudice he might say—in favour of existing habits and usages; and that in this country, more than anywhere else, the question was less about the *quo eundum est*, than the *quo itur*. But still the recommendations of a decimal system were so many, and so obvious, that its introduction could not be long delayed. Every man who looked at his ten fingers, saw an argument for its use, and an evidence of its practicability. His suggestion was simply to divide the pound sterling into one thousand farthings, and this would give all the needful elements for a perfect system of decimal coinage. He would preserve the pound sterling as the integer or point of unity. It had been associated with our accounts, and with our currency, from almost immemorial time; and was in fact a very convenient starting post for decimal division. Professor De Morgan, and many other eminent men, concurred in the suggestion of dividing that pound sterling into a thousand parts, and accommodating our coinage to the centesimal and decimal divisions. The Arabic numerals so admirably adapted to a decimal system, seemed to point to that system as a necessary consequence of their introduction; for though the Romans seemed to have had some gleams of the advantages of a decimal currency, their numerals would not easily accommodate themselves to it, nor indeed to any arithmetical calculations. The decimal system had made great progress through the civilized world. At this moment, it was used by more than half the great human family. With three or four exceptions, it had been adopted by all the nations of Europe—in the vast Russian empire, from Kamschatka to the Baltic—from the Euxine and the Caspian to the White Sea—and through the wide regions of China, with its more than 300,000,000 of souls. In proposing this change, it was his object to interfere as little as possible either with the names or values of existing coins. He suggested no new copper coinage, but a very slight diminution of the value of the farthing, halfpenny, and penny, so that, instead of representing the 1-960th, 1-480th, and 1-240th of a pound sterling, they should pass for the 1-1000th, 1-500th, and 1-250th parts. The gold coinage would remain without any alteration; and in the silver he should propose to introduce two new coins, namely, the two-shilling piece, which he suggested might be called a "Queen," and which would be the tenth part of a pound sterling; and another piece to represent the tenth of the queen, or the 1-100th part of the pound sterling, to which he proposed giving the name of "Victoria"—in both cases designating the era in which the decimal system had been adopted. Thus in the gold currency, the sovereign would represent 1,000 farthings—the half sovereign 500 farthings, or half the pound. In the silver coins, the crown would represent 250 farthings, or the fourth of a pound; the half crown 125 farthings, or the eighth of a pound; the queen 100 farthings, or the tenth of a pound; the shilling fifty farthings, or the twentieth of a pound; the sixpence twenty-five farthings, or the fortieth of a pound; and the victoria ten farthings, or the 100th of a pound; and the copper coinage would still represent farthings, half pence, and pennies, being 1,000th, 500th, and 250th parts of a pound. They should on the first new issues be reduced to the extent of four per cent. that is to say, 1,000 instead of 960 farthings would go to the pound sterling. If a new system had to be introduced, there might be some advantage in calling the farthings mils or millimes, the victorias cents or centimes, the queens decs, dimes or decimes; but on the whole he was disposed to retain the ancient names, as they would at once present associations

of value, and, as he believed, facilitate the early application and universal adoption of the system. The two new silver coins would be exceedingly convenient. The two-shilling piece, from its form and weight, would soon become popular, and in fact the most useful of all the silver coins. Having made some inquiries, he was able to say that its size would allow it to be a beautiful specimen of monetary art. Its value, the double shilling, would be understood by everybody; it would be about half a dollar, the coin which, perhaps of all others, is best known through the commercial world, and it nearly represents the Austrian florin, which has a wide circulation. The victoria would be the smallest of the silver coins, representing the 100th part of the pound sterling, or $2\frac{2}{5}d.$ of existing currency, which to the popular mind would be nearly allied to $2\frac{1}{2}d.$ This coin is about the value of the vellon rial of Spain, which is the point of unity of the Spanish currency. It has been objected that it would be too small for common use; but he begged to remind the House, that it would not be much smaller than the silver penny in the time of Edward the Third, which was then the only currency in the realm—the only recognised coin of the land. Our pounds, shillings, and pence, in the Saxon period, no doubt represented an unvarying quantity of silver, the penny being twenty-four grains, the ounce twenty pennies, and the pound twelve ounces, the weight and the tale being identical; but gradual depreciations brought down the pound sterling from 5,760 to 1,614 grains, the present standard, so that the value of the currency had been reduced, nearly three fourths. At and after the Conquest, down to the time of Edward the First, the penny weighed twenty-two and a half grains. Edward the First reduced it to twenty-two grains, and Edward the Third to twenty grains; and he first coined two-pences and fourpences, that is, half groats and groats, weighing forty and eighty grains. The present weight of a silver penny is about $6\frac{2}{3}$ grains; so that the new coin would weigh about eighteen grains, which, he repeated, would be about the size of the whole currency of England in the fourteenth century. The introduction of a decimal system in France, with whatever resistance it had been originally met, was now a matter of universal congratulation. No man could be found in that country who did not acknowledge its benefits. It had supplanted a currency of pounds, shillings, pence, and farthings—the livre, sol, denier, and liard. These had been replaced with francs and centimes; and though sometimes the old names were heard, they introduced no confusion; and the National Assembly, by the establishment of the decimal currency, was everywhere recognised as having conferred an immense benefit upon the country. From France the good example had spread to Italy, where many of the States had adopted a decimal system. In Lombardy and the Venetian provinces, it was introduced in 1823, and accounts were kept in lire (value about 8*d.*), or soldi, being 1-10th, and centesimi, being 1-100th of the lira. Ducats and zecchins were heard of in conversation, but not employed in accounts. In Sardinia, the decimal system of francs and centimes was adopted. In the Roman States, the scudo, being worth about 4*s.* 4*d.*, was divided into 10 paoli and 100 bajocchi, so that they enjoyed a complete decimal system of currency and account. In Tuscany, though the phraseology of pound, shilling, and pence, lire, soldi, and danari, is retained, the lira is practically divided into 100 cents. In Naples, all is decimal accountancy, the ducat being ten carlini—the carlino ten grains. Holland, a country like our own strongly wedded to antique doctrines and usages, abandoned her ancient currency in 1811, and adopted the decimal system, dividing the florin, equal to 20*d.*, into 100 cents, and coining the Willem, equal to ten florins. The old silver coinage is already beginning to disappear, and the gold of the former coinage passes by weight instead of tale. The Dutch colonies had not been slow to follow the example of the mother country. Belgium, immediately after her separation from Holland, introduced the French decimal system of coins, weights, and measures, though at first the public accounts were kept both in florins and francs: the use of the florins continued only a short time; both coins and calculations had disappeared, and francs and centimes were now universally adopted and with universal approval. The Zollverein, which had to accommodate itself to a very great variety of coins, weights, and measures, made an important step towards a decimal system by recognising no weight but the centner of 100lbs. Prussian, and no coins but the dollar of thirty groschen, and the florin of sixty kreutzers. Several of the Swiss States had introduced

the decimal divisions, by making the Swiss franc represent 100 cents. Decimal coinage and decimal accounts were universal in the extensive Russian empire, with its 70,000,000 of inhabitants, the rouble, consisting of 100 copecks, being established over all the territory. In Greece, one of the earliest results of the revolution was the adoption of a decimal currency, the only coins of account being the phœnix or drachma (of about $8\frac{1}{2}d.$ sterling), and its hundredth part, the lipta. Portugal and the Brazils both enjoyed a decimal system, their milrei being divided into 1,000 reis, precisely as he proposed to divide the pound sterling into a thousand farthings. Through the United States of America the decimal coinage prevailed—the dollar with its 100 cents—and the same system had already made its way into Mexico, Central America, and many other transatlantic communities. He had already stated that the whole Chinese population reckoned by tens, and that a decimal mode of calculation and account had existed in that empire from the remotest times. Even into the Ottoman dominions the decimal system was penetrating. In Egypt, all the coinage of Mahomet Ali represented decimal divisions, there being in copper the one and the five paras; in silver, the ten and twenty paras, the one, five, ten, and twenty piastres; and in gold, five, ten, twenty and 100 piastres. In Persia, too, the decimal coinage prevailed; ten floose make the danim, ten danims the mahmoudy, and 100 mahmoudies the tomand. Without going farther, and wearying the House with other details, he thought he had established his case, and showed the ease with which his suggestions might be adopted. Would Great Britain stand alone with her complicated and entangled system, so unintelligible to foreigners, and often so embarrassing to her own subjects? Every European country except Spain, Denmark, and Sweden, had given us satisfactory evidence of the benefits of the change he suggested; and it was little honour to us to lag behind the civilized world. All the puzzles and perplexities of compound addition, subtraction, multiplication, and division, would be got rid of by the simplicity of decimal calculation; all interest would be reckoned by the simplest processes of multiplication; and a short experience of the advantages of a decimal system would produce only a feeling of wonder that we should have so long tolerated the existing state of our coinage, currency, and accounts. He did not at present propose a change in our system of weights and measures. That change would naturally follow upon the improvements he now suggested. The Resolution he had to propose for the approval of the House was—

"That an humble Address be presented to Her Majesty, requesting that She will be graciously pleased to authorize the issue of Coins representing the value of two shillings, being the tenth of a pound sterling, and two pence and two-fifths, being the hundredth part of a pound sterling, such Coins to be called Queens and Victorias, or any other name which to Her Majesty may seem best."

MR. HUME seconded the Motion. The subject had been for twenty-two years before the House. Mr. Davies Giddy and other gentlemen made a report to the House many years ago, recommending the adoption of the decimal system; and, after all that had taken place in Europe since that period, the larger portion of the Continent having adopted a decimal currency, no further delay ought to take place in introducing it into this country. He did not complain of the Mint Master for not bringing the subject before the House—"present company were always excepted." But former Mint Masters had been lax in their duty, and were not sufficiently aware of the fact, that to save time in trade and commerce was to save money. He should be happy to see an inquiry take place into the subject as to the effect of adopting a decimal system of keeping accounts. For himself, he had no doubt whatever that every merchant who now kept five clerks would be able to do with one less under a decimal system of coinage and weights and measures. The consequence of the present system was, that, in the higher classes in this country, he scarcely ever met a man of property who understood accounts. He did not think this subject was best dealt with by a debate, for it had not yet sufficiently received the attention of the community. An American merchant told him, that no one who had been in an accountant's office in this country had any idea of the saving of time and trouble in the American system of decimal accounts, compared with the cumbrous and intricate system of this country. The people of England were accustomed to look upon the Chinese as a nation of barbarians; but the decimal system had been in operation in that country for many centuries, and there was not an accountant in England who could calculate

so quickly as the Chinese with his ten balls. The decimal system would make a calculator of every villager, which would probably be of some use in saving them some farthings. He hoped the Government, so far from throwing any obstacles in the way of so desirable a change, would afford every facility for the introduction of the decimal system.

The CHANCELLOR OF THE EXCHEQUER said, that the mover of the Resolution, the hon. Member for Bolton, and the seconder, the hon. Member for Montrose, did not agree in what they recommended to the Government. The hon. Member for Bolton recommended the Government immediately to issue two descriptions of coin; and the hon. Member for Montrose recommended a Committee of Inquiry as to the best mode of introducing a decimal system; but his opinion was, that neither recommendation ought to be adopted. He was not by any means insensible to the advantages which were to be derived from a decimal system—a system which had been adopted more or less in a great many countries of Europe, and which had afforded very great facility in keeping accounts. It was a system which, if adopted by common consent in this country, would be found to effect a very great improvement in that respect; but he would remind the House that there was hardly anything with respect to which the minds of people, or perhaps their prejudices, were more difficult to change, than the coinage of their country. In France, the decimal system was adopted; but in many parts of that country, after the fiery ordeal of the Revolution, the people maintained the old denominations of coin. [Dr. BOWRING: Not of weights.] No, not of weights; but he was proceeding to show that no violent attempt ought to be made to introduce a decimal system. The introduction of such a system ought to be effected gradually, and in such a manner that the people might gradually become accustomed to the use of that description of coinage; and if that were done, he had no doubt that they would finally adopt it. He was not, however, prepared to go the length of establishing such a coinage at once; and with respect to the inquiry alluded to by the hon. Member for Montrose, he would state that it was not necessary, as the commissioners appointed to inquire into the standards went fully into that question, and pointed out how the change could be made with little difficulty, unless as regarded small copper coins. The first step in the adoption of such a system was to establish the tenth part of a pound, which would be 2*s.*; and the first step might therefore be, to strike a two-shilling piece, to which he should have no objection. It might be advisable to strike a two-shilling piece; and if the people of the country became used to the two-shilling piece, it would be a most important step towards the introduction of a decimal system. If the coinage of a two-shilling piece could do no good in that way, it would do no harm, as the present system could go on if that failed. If the prejudice were found to be so strong after the introduction of the two-shilling piece, there would be no harm done by that attempt. After that statement, he did not see that it was necessary for the hon. Member to press his Motion; and if he did, he (the Chancellor of the Exchequer) should feel it his duty to move the previous question.

MR. A. STAFFORD O'BRIEN congratulated the hon. Member for Bolton on the partial success of his Motion, and thanked him for the information contained in it. It was satisfactory to hear from the hon. Members opposite that there was such a prejudice in the country in favour of old customs and old institutions. He regretted that the Master of the Mint had not spoken, as Ireland, which was in everything an exception to other countries, had departed from the decimal system, and the Irish tenpenny was long since departed; so that, perhaps, the Master of the Mint might be able to throw some historical light on the subject.

MR. SHEIL said, that it would have been much more officious than official in him to have expressed any opinion on this subject before the Chancellor of the Exchequer had spoken. He (Mr. Sheil) had not omitted to give it the best consideration in his power; he felt the importance of substituting, if it was possible, simple for compound arithmetic. He wrote to the Chancellor of the Exchequer from Ireland in October last, and received from him an answer, from which he should read an extract:—

"I have no objection to the system of a decimal currency. But you must not, as your proposal does, take the penny as the basis, and make your coins multiples of a penny. The unit of British currency, the basis upon which everything else depends, and by reference to which the value of every other coin is determined, is the pound sterling. We should get into inextricable confusion if we departed from this. A pound sterling

is 123 grains and a fraction of gold of given pureness: a shilling has no value from the silver it contains, but as the 1-20th part of a pound sterling—the actual coin is not intrinsically worth so much. So a penny does not derive its value from the copper it contains, but as the 1-120th part of a pound. If, therefore, we are to adopt a decimal system, the first step is easy enough—a two-shilling piece would be the tenth part of a pound. The difficulty begins with a penny, or the next coin, whatever you may call it, below the two-shilling piece. I will not pursue the subject further, having pointed out what must be the beginning, if such a system is to be entertained at all. I am confident that when you consider this subject in its more general bearings, you will see that it is not a matter lightly to be dealt with; and any scheme which is to overturn the confirmed habit of a country for centuries, and the confirmed mode of keeping accounts of all kinds, requires the most serious consideration before it is attempted, and the greatest care in adjusting all its details."

He also communicated with Mr. Trevelyan, who enclosed to him some exceedingly able observations made by Mr. James Pennington. Mr. Pennington, it was right to state, was not favourable to the introduction of a decimal system. After stating M. De Morgan's plan, published in the *British Almanac* of 1841, and originally suggested by the celebrated Mr. Babbage—the plan, indeed, which his hon. Friend had to-night propounded—Mr. Pennington proceeds to state—

"In this way a decimal currency and a decimal coinage might no doubt be established; but mark the consequence—a labourer, whose wages were tenpence a day, and who at the end of a week might be in the possession of sixty pennies, or 240 cents, (*alias* farthings), would find that he could obtain for his 60*d.*, or 240 farthings, not 5*s.* in silver, but only 4*s.* 10*d.* Again, a shopkeeper, who had been in the habit of selling an article for 3*d.*, and who expected that when he had sold four of these articles he would have received money of the value of 1*s.*, would find that he had received five per cent less than the sum he had calculated upon. In short, bickerings and misunderstandings in all dealings of less value than a shilling would continually occur."

Such were Mr. Pennington's objections; and he (Mr. Sheil) had submitted them to the consideration of two gentlemen of the highest mathematical ability. They did not concur with Mr. Pennington. It was clear that new contracts would be made in the new currency for labour and everything else, and that these objections could not then arise. They could apply to antecedent contracts, where it was necessary to connect the old currency with the new, and there could be little difficulty in doing that. The sovereign would be retained—the new coin, worth two shillings, call it a royal or a florin, would be the tenth of a pound. On the reverse the value might be engraved. That new coin would be subdivided into ten other coins, each of which would be subdivided into ten farthings or cents. Then the royal, or florin, would be worth one hundred cents; half a florin, or a shilling, would be worth fifty farthings, or cents; sixpence would be worth twenty-five farthings, or cents; threepence would be worth twelve cents and a half. On all these coins, with the old name, might be engraved the value in the new coinage; and in the common transactions of life, with the aid of the new tables, no difficulty would arise. There would be no error in the conversion of threepences, sixpences, ninepences, and shillings: the only one would be in the intervening sums, and it would amount to only the fraction of a farthing. He, however, thought that nothing should be precipitately done. The new coin worth two shillings should be first put into circulation, and when once the public were familiar with its use, another step might be taken, and ere long the decimal system might be safely introduced.

MR. W. BROWN said, that in America, when the alteration from the old system to the decimal system was at first introduced, there was a little difficulty experienced in carrying it out; but as soon as that difficulty was overcome, the advantages of the decimal system in facilitating calculations and preventing mistakes, were found to be very great.

SIR G. CLERK considered that there could be little doubt of the advantage of a decimal system of currency with regard to the keeping of money accounts; and wherever such a system had been adopted, its simplicity had recommended it to favour. But, unless the Government were prepared to adopt a compulsory measure, such as had been enforced in the United States, and to call in the existing coinage, he did not think that the people of this country would voluntarily adopt a decimal system. He understood that the Chancellor of the Exchequer was not prepared to require that the public and all other accounts should be kept according to the decimal system; and, if this were the case, he wished to ask the right hon. Gentleman to consider whether he might not produce a great deal of confusion, and afford great facilities for fraud, by striking a 2*s.* piece, which would be so similar in size and weight to the half-crown piece, and as to the value of which ignorant persons might easily be deceived. He wished to remind the right hon. Gen-

tleman of the inconvenience which was occasioned a few years ago by the issue of threepenny pieces soon after the coinage of groats. There was so slight a difference between the size and appearance of the coins, that the threepenny piece was not unfrequently passed for a groat.

Dr. BOWRING expressed his readiness to accept the offer made by the Chancellor of the Exchequer, and observed, that within the last few days he had received a communication from a nobleman (Lord Ashburton, as we understood) who had had great experience with regard to the two systems of coinage, and who stated that he considered the time had arrived when the decimal system should be taken up by the Government of this country.

Motion withdrawn.

STATE OF GREECE.

Lord J. MANNERS said, the noble Lord the Prime Minister, on the first week of the Session, told them that whatever differences there might be among the people of England on most questions, there was at all times great apathy existing with regard to our foreign policy; and he told them also of the difficulties which those who were entrusted with our foreign policy had to meet with in fulfilling the important duties committed to their charge. But he thought, if there ever was a time when apathy and indifference might be changed into anxiety and curiosity, they might expect that the condition of Greece would now call forth these feelings. The expectations which were raised when England, at the instance of the late Mr. Canning, took a leading part in the expected regeneration of Greece, together with the disastrous European consequences which would ensue if the present reign of imbecility and cruelty, and extravagance, of all sorts, were permitted to continue, must be his excuse for venturing to ask the attention of the House to a subject which he was aware was rather alien from their tastes and dispositions. What Greece was expected to become when England joined in effecting her emancipation from the yoke of the Turks, must be well known to them all. The fertility of her soil, the genius of her people, and the heroism displayed in her ancient people, all conspired to encourage the hope that Greece at no distant day would assume a high place among the nations of Europe. What her condition now was, he would very shortly proceed to tell. In 1832, when the King of Bavaria accepted the throne of Greece in favour of his younger son, it was stipulated that a constitution should be given to the Greeks, and the Three great Powers, France, England, and Russia, advanced a loan of 800,000*l.* each, the interest of which was to be repaid out of the first instalments that came into the national exchequer. Since that time eleven years passed away without either of these stipulations being fulfilled. The Greeks obtained no constitution—the Bavarian oligarchy ruled in the land—a system of cruelty and extortion was practised generally among the people, while the interest of the loan had not been in any instance whatever paid. However, in 1843, Count Nesselrode, writing to the Russian Ambassador at Athens, employed the following terms :—

"The Greek Government declared that the interest of the loan should take precedence of all other charges, and therefore he instructed the ambassador to require that the advance then due should be repaid by the 1st of July next. As to the future condition of the country, that must be matter for grave and serious consideration with the Three Powers, in order to avert the total ruin and destruction of the nation."

On the part of England our Government was equally active; and an energetic note was despatched by the Foreign Minister upon the subject; but he was sorry to say that they failed in all their endeavours to induce them to fulfil their stipulations, and England was forced to pay 40,000*l.* a year as interest on the Greek loan. But at that period the Greek people, worn out and tired with the long series of oppressions which had been perpetrated upon them—worn out with the delays which they had experienced in the fulfilment of the stipulations made to them—rose as one man, and by a bloodless revolution, conducted with less disturbance and anger than had ever been witnessed in any other revolution in modern times, they succeeded in obtaining what they had so long stipulated for, and a constitution was conceded. They all knew with what delight and hope the settlement of that once formidable question was received in Europe. They all knew the terms in which Lord Aberdeen spoke of the efforts made by the Greek people, and the moderation of their character ; and he naturally entertained the hope and belief that the future affairs of Greece and of its Government would be carried on according to those principles on which the Minister of the King promised that he would act in future. But he grieved to say, that ever since the time of

the relinquishment of office by Mavrocordato, in 1844, the condition of Greece, so far from improving, was as bad as it had been at any previous period; and the accounts which were now received from day to day revealed a system of violence, of extortion, and of various outrages committed against life and property, while the expectations of improvement held out in 1843 had not hitherto been fulfilled. He believed he should be able to show, by reference to authentic papers, that these outrages were committed, not only by the tacit sanction of the authorities, but under the orders of the constituted authorities themselves—by the fearful and lamentable violence of the soldiers—with the violation of the constitution—and by the open and avowed influence of other Powers, or at least of one other Power, in the political management of the country. The condition of Greece in 1847 was such as to create astonishment and regret in the mind of every gentleman who was interested in the fate of that country, and was such as to decide an English House of Commons to express an opinion—he hoped a unanimous opinion—of reprobation and horror. He should now proceed to show that the constituted authorities connived at and were themselves the perpetrators of these extraordinary cruelties and outrages against life and property. He found that M. Crizeis, the Governor of Etolia, addressing M. Coletti, used these remarkable expressions :—

"After having presented this statement to the Ministers, it is now my duty to observe, that it is absolutely essential the Government should take prompt and efficacious means to remedy this state of things, or otherwise I request the Government to accept my resignation ; because it is repugnant to me to remain in the government of a province where the officers in command, whether designedly or otherwise, excite the people to rebellion, compel them to take up arms against the Government, or do anything to relieve themselves from that oppression, personal, material, and moral, with which the officers endeavour to crush them."

He held in his hand a petition presented to the Greek Chamber from Patras, authenticated by all the leading inhabitants of the place. That petition stated that—

"The members of the family Dimeoi, arrested by the Mirarque (the Government officer), were subjected to the torture for three days, and all their effects sold. Dimetri Nicalo Copulo, accused of an insignificant robbery three years ago, was put to the torture and expired soon after."

A petition presented to the King from Messina contained the following passage :—

"Fifty citizens dragged without excuse from the bosom of their families, and thrown into a damp and loathsome dungeon, deploring their loss of liberty, that last worldly blessing, cast themthemselves on your mercy. Sire, the tortures we have undergone are unheard of and horrible; some of us suspended by the feet; others, with their legs and arms bound, are laid upon the ground, and blocks of stone placed on their chests, their flesh torn, and limbs mutilated."

It also appeared that—

"At Lamia, on the 26th of November last, two gendarmes and three soldiers entered the village of Daitza, where they took and imprisoned the authorities, and then having entered the cottages belonging to two men, Agrosloti Galatopoulo and Christo Talana, seized the women, whom they treated with a brutality too horrible to describe, and then pillaged the house."

He found likewise, that, on the 3rd of September, 1846, the commandant of the 5th battalion wrote to the Minister of War on brigandage in Acarnania. He said—

"I likewise determined to report to the Government, on the most proofs in my power, all those who were in any way favourable to the system; but I am compelled to declare, upon my honour, that brigandage is chiefly excited and countenanced by the *employés* of the Government at Vanitza, who are urged on by a well-known head, and guided by views and interests of a private nature. The Minister knows full well that during the brief existence of my mission I was deprived of a military force sufficient for the exigences of the service, as well as of the presence of a civil officer."

In the more recent accounts from Athens, he found the following most extraordinary statement, under the date of the 10th of February, 1847 :—

"If brigandage has for a long time desolated Acarnania, Eusytania does not suffer less from acts committed, not by brigands, but by the chief of the moveable column, the Captain Mercuditi. We have before our eyes letters which give a detailed and revolting description of the tortures and exactions committed by this officer, in the villages of Spinassa, of Klitzo, of Fourna, &c. The population of this province, which at all times has been distinguished by the gentleness of its manners, its application to labour, and exemplary submission, is reduced to despair. Since the time when placed under the administration of the famous Galini, she indignantly sees herself exposed to a system of persecution of which she has lost the memory since the end of Ali Pacha's Government."

The fact was, he believed, that the outrages committed on the Greeks formerly by the Turks were greatly exceeded by the outrages now committed on them by their own Government. To come to a later period, the 10th of April, he found under that date an account of some important proceedings that had taken place in the important province of Laconia:—

"Grave events have occurred in Laconia. One

of the most important towns of the Peloponessus, the port of exports for the productions of the rich province of Lacedæmon, Gythion, has been sacked and partly destroyed in a collision which took place on the occasion of the municipal elections between the Mavromichalis and the Tzaratahis, two families who both rank among the friends of the present system."

The House might perhaps be inclined to say, that an election squabble was not so uncommon an event in England as to induce them to take much notice of it; but he would venture to say, that it was very seldom indeed that election squabbles in England proceeded so far as to the burning of a town. But he would call the attention of the House to the fact by whose authority this was done. There could be no doubt that the constituted authorities had interfered; and the House would then see how they interfered:—

"There were two Government vessels lying off Gythion; the officers and crew espoused the cause of General Tzanetakis, so did the governor of the province. But this combination of the authorities excited the anger of the friends of M. Mavromichali, who, not feeling themselves strong enough to sustain the fight with success, called to their assistance M. Mavromichali, the deputy's nephew. He arrived at Gythion, at the head of a troop, occupied some houses and fortified them. General Oganetaki, who lives in the town, did the same, and occupied several points. The governor orders Mavromichali's people to quit the town, and proscribes them. Meanwhile the mirasque of gendarmerie arrives with two companies of light troops, and two detachments of gendamerie, and all the authorities meet in Council on the 29th of March. The governor and naval officers declare in favour of the general; the mirasque, and the military officers, stick to their candidate. (The poor voters never seem to be thought of at all.) Next day the polling commences—I beg pardon—the signal of hostilities is given, and the vessels of war, at four o'clock in the afternoon, open a cannonade upon the house occupied by Mavromichali's people, and some of the houses are destroyed. The firing ceases at sunset; but is replaced by a very active fusillade, which lasts till morning, between the houses occupied by the two parties. On the morning of the 31st the ships recommence firing, and make a terrible destruction."

The result was, that the town was almost altogether destroyed—the citizens fled for refuge to the ships, or where they could; and the last accounts he had received ended by saying, "that this flourishing commercial town presented the appearance of a ruined city." He would now come to the second point, to the outrages which had been committed upon the constitution that was granted in 1843. Here he must guard himself against its being supposed that he imagined no country could be well and happily governed unless they had a constitution. But that was not the point at issue here. The people had been promised a constitution, and they had received a constitution; he would proceed to show how that constitution had been dealt with. He found that the municipal revenues of Athens, which had been respected by the Turks themselves, and which amounted to 8,000 drachmas a year, had been seized and squandered year by year by the Government; and not a penny of it was expended in the improvement or the advancing of the town, for which it was originally intended. A similar course had been pursued with respect to the revenues of other towns. At the last election, Mavrocordato, who was admitted to be the first Greek statesman of the day, even by his bitterest opponents, was elected for four distinct places, and yet he was turned out by a vote of the Chamber from all his seats; and thus prevented from giving the weight of his influence, his knowledge, and his high character to the deliberative assembly of his countrymen. And now he would come to more recent instances. He found that a Pretorian band—for he could call it by no other name—commanded by John Costa, was kept up illegally for two years, till on the 18th of February, 1847, it was condemned by an adverse vote of the Chambers. For two years it had been kept up contrary to the constitution, contrary to everything by which a constitutional and representative Government was maintained; but at the end of two years, on February 18, 1847, a majority of the Chamber—49 to 40—withheld the grant of money for its aid, and decreed an abrogation of this band. In the speech of M. Coletti, which he delivered on the 9th of February, 1846, in defending himself against the charges which had repeatedly been brought against his Government, he, with a frankness which one might be permitted to admire, expressed himself in the following terms:—

"Formerly, these abuses were committed even in the capital, in the Government offices; and it was by the means of these illicit profits that they were enabled to raise splendid mansions, that they gave balls, where tea, coffee, and sweetmeats were offered in profusion; and now great complaints are made because 600 or 1,000 indigent persons are sent into the provinces to collect the revenue and gain the means of subsistence. And what are these men? They scarcely commit any abuses; and when they do so, it is only to the amount of a few drachmas."

He now came to that part of his case which was, perhaps, more directly interesting to the Members of the English House of Commons—he meant the financial part

of his argument. He might here say that England, having paid 40,000*l.* a year from its own finances, on account of the mismanagement of Greece, had a clear right to make its voice heard. He did not wish to go far back upon this subject, or to expose that system of mismanagement which the despatches of Lord Aberdeen so fully explained; he would only go back as far as 1846. He found, in a debate in the Chamber of Deputies in February, 1846, that the Minister of Finance said—

"That he came to tell them that the Treasury Department was completely disorganized—that there were no accounts of the revenue or expenditure—and that he could not furnish to the Chamber anything in the shape of a budget, on account of the dishonesty of the public functionaries—that millions were due to the State, and he did not know by whom."

On the 18th of February, 1846, the same Minister observed—

"Imagine, Sir, that the Minister of Finance cannot obtain any knowledge of the state of the country—that he is entirely ignorant of its resources; you may, therefore, judge what must be the state of the revenue; in these few words I have proved to you in what ignorance I have been kept during the short period of my administration."

He was very much afraid, from what had recently transpired in Greece, that the Minister of Finance had not improved in his knowledge of these subjects since he made that admission. In the budget which was brought forward immediately after this discussion of 1846, the foreign debt due to England, France, and Russia, was totally omitted; there was no mention whatever made of a debt that had gone on increasing from year to year; and the budget was presented as if that debt had no existence whatever. The total income of the country was then estimated at 14,475,299 drachmas, the expenditure at 14,786,546 drachmas, making a clear and avowed deficit of 300,247 drachmas. Then Lord Aberdeen, when he saw such a budget brought forward in the Chamber of Deputies, sent a despatch to Sir Edward Lyons, commenting upon it in a strong and marked manner. He said it falsified all notion of a severe economy being exercised, as was asserted by M. Coletti, and that it justified him in adhering to his resolution of applying for the half-year's interest of the Greek loan which was then due. He observed, that if this disordered state of their finances should continue, England would be compelled to take such measures as would appear to be necessary to put an end to such a state of things, and to provide that the loan should no longer be squandered. Well, now, one would naturally have concluded, after such an expression of opinion on the part of a nobleman whose language the House well knew was always guarded and cautious on these matters—one would have imagined that after this strong expression of opinion, those who were entrusted with the finances of Greece would have devoted their best attention to their amelioration. But he regretted to say that quite the reverse had taken place. There was probably no country in Europe which had not noticed the extraordinary financial exhibition which was recently made at Athens. On the 3rd of February, 1847, the same Minister of Finance, talking of the rich and fertile province of Elis, followed it up with this statement:—

"I cannot, gentlemen, conceal from you any longer the truth; the robbery of the public revenues has surpassed all measure, and is carried on with an insane impudence. But is this the fault of the Minister? I did not know any of the candidates; they were all nominated in the lists presented by the deputies. I hardly know fifty *employés* out of the thousands who belong to my department; if each steals a small portion of the revenue, the diminution must naturally become considerable. Things have arrived at such a pitch that it is impossible for the Minister of Finance to put a check to the abuses." "'Then,'" said the Judge-Advocate of the Royal Court of Athens, 'in this case, Monsieur the Minister, you ought to resign;' and the sitting was closed in an uproar."

What the Minister said might be a novel mode of paying official salaries; but he feared it was not very economical. Probably it was in the knowledge of every Gentleman in that House that recently a Committee had been appointed by the Chamber of Deputies to investigate six charges made against the Minister of Finance. Those six charges resolved themselves, however, into two: the first, the falsification of the revenue, which the Minister had admitted in the Chamber, and given his explanation of; and the second, the falsification of the averages by which the importation of corn into Greece was regulated. With regard to the latter, the duties on the importation of corn into Greece were regulated by the average prices at nine different markets, and it was the duty of the Minister to make public these averages; but from the month of August to the month of January last, the Minister of Finance had suspended the publication of the averages, and thereby occasioned the most serious and mischievous speculations in the corn trade.

The Committee of which he had spoken was constituted on the 20th of February, and presented its report on the 10th of March. It was a long and elaborate report, the reading of which he should be sorry to inflict upon the House; but in that report the Committee found the Minister guilty of the charges brought against him, and they were all but unanimous in coming to that conclusion. There was only one member of the Committee who had doubted as to the propriety of the course which the great majority adopted. Their report contained the following passage, which gave, he thought, very fairly, the all but unanimous opinion of the Committee:—

"The commission, convinced by the reasons above expressed that the Minister Ponyropoulos has knowingly committed these illegal acts, thinks it needless to inquire whether, besides the illegal tax which strikes the foreign grains, the Treasury has sustained a loss by the diminution of the duties on exportation."

The effect, therefore, of the Minister's conduct had been to diminish the amount of duty which ought to have been paid: and the Committee asked the Chamber of Deputies to proceed to an impeachment. He was bound, however, to say, that in the Chamber of Deputies a small majority of eleven rejected the first part of the report; but in what position did the Chancellor of the Exchequer of Greece stand? He stood convicted by a Committee who had investigated the charges; and he stood absolved in the Chamber by a small majority. As to the other charge, the Minister, as he had already said, had admitted in his place in the Chamber that he had presented a false report of the revenue; but he had at the same time expressed a hope that his patriotic reason for so doing would induce the Chamber to sanction his conduct; and the reason which he gave was, that a surplus revenue would have been shown over the estimated expenditure, and that foreign Powers would then be justified in expecting that some of the interest on their loan would be paid. Now, if he had not known that fact upon the most unquestionable authority, he would hardly have believed it; it was so difficult to believe that any one filling an office of such high trust and importance could have ventured to state in the Chamber of Deputies that he had falsified the public accounts in order to cheat the country which at a considerable sacrifice had enabled Greece to keep its head up amongst the nations of Europe. So to do did seem to require such an extravagant degree of assurance, that he could not help thinking there was some mistake; still the authority admitted of no doubt. Now, after what had occurred in the early part of the Session, and considering the delicate nature of our relations with our neighbours across the Channel, he should have been glad if he could have concluded his statement without noticing the part which that country had taken in this matter. He alluded to the unhappy influence which France had exercised in the councils of Greece. It was useless to blink the fact. If he thought that he could at all advance the satisfactory settlement of the question by omitting to take any notice of French influence in Greece, he should be glad to do so; but he could see no such prospect, and he thought that the best way of meeting the difficulties which that influence threw in the way of a better state of things, was to watch and counteract it. He must say that the conduct pursued by France, and avowed by the French people, stood in very unfavourable contrast to the conduct pursued by England, and avowed and sanctioned by the English people. Nor could he refrain from expressing here his high estimation of the great services of Sir E. Lyons, our Minister in Greece. It was no more than his due that he should be told in the House of Commons that so long as he persisted in the course which he had hitherto pursued, he would receive the support not only of the Foreign Minister for the time being, but also the support of the popular assembly of this country. Lord Aberdeen, writing to Sir E. Lyons, in 1843, said—

"In the whole of your proceedings at this important crisis, you will constantly bear in mind that the good of Greece alone is the principle which guides and animates Her Majesty's Government. We desire to establish no British influence, and we equally deprecate the establishment of any other exclusive national influence in Greece. We wish to see Greece independent, and under the auspices of a sound and well-regulated constitutional system of government, in which each power in the State shall have its due weight and influence, growing daily in strength, in credit, and in prosperity. The exercise of any extraneous and exclusive influence over her counsels, can but tend to retard that growth."

That was the language of Lord Aberdeen in 1843; his only wish was to keep free from foreign control the waters of the Piræus; and yet, in 1846, Coletti, the Prime Minister of Greece, was heard boasting in the Chamber that it was France who gave them so many presents;

it was she who kept her schools open to their children—she who placed her fleets at their disposal. But perhaps it might be thought, after the course he had pursued, no great dependence could be placed on the statements of Coletti; but he was now about to call the attention of the House to a much more important personage in this most complicated and unhappy drama. M. Guizot had addressed the French Chambers on the subject.

An Hon. MEMBER moved that the House be counted, and forty Members not being present, the House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, April 28, 1847.

Minutes.] Public Bills.—2° Juvenile Offenders; County Buildings.

Reported.—Naval Prisons.

Petitions Presented. By Mr. Adderley, from Biddulph, for Repeal of the Maynooth College Act; and against the Roman Catholic Relief Bill; and from Roman Catholics of Alton, against the Roman Catholic Bill.—By Mr. Brotherton, from Belfast and Methven, against the Use of Grain in Breweries and Distilleries.—By Mr. P. Scrope, from several places, in favour, of the Poor and Highway Rates Exemption Bill.—By Mr. Spooner, from Warwick, against, and by Mr. Waddington, and Mr. Buck, from several places, in favour of the Rating of Tenements (No. 2) Bill.—By Mr. V. Smith, from Guardians of the Northampton Union, in favour of the Government Plan of Education; and by Sir W. Molesworth, from Liverpool, for Alteration of the same.—By Sir G. Grey, from Devonport, in favour of the Health of Towns Bill.—By several Hon. Members, from different places, in favour of the Juvenile Offenders Bill.—By Sir T. Esmonde, from County of Wexford, for Alteration of Poor Relief (Ireland) Bill.—By Sir J. Y. Buller, from Devon, for Repeal or Alteration of the Poor Removal Act; and from Guardians of the Honiton Union, for Alteration of the Law of Settlement.

JUVENILE OFFENDERS BILL.

Sir J. PAKINGTON moved, that the Juvenile Offenders Bill be read a Second Time; upon which

Mr. ROEBUCK moved, that it be read a second time that day six months. He wished to know whether the Government were prepared to sanction the measure? The hon. Gentleman opposite had presented petitions from certain magistrates in its favour; but it struck him that those gentlemen understood very little of what was for their own interest, to say nothing of the interests of the country. It was proposed that two magistrates, sitting in private, not in a public court, should have the option to adjudicate on cases where the age of the offender did not exceed fifteen years, and when the property did not exceed the value of 40*s*. Now, that was opposed to the principle of the constitution of this country, which was that there should be perfect publicity given to the administration of the law. By this Bill two magistrates would be empowered, on the complaint of one party, to adjudicate and determine on cases of simple larceny, and felony punishable as simple larceny, obtaining money under false pretences, escheats, and misdemeanors. One justice, on the confession of the party accused, was to have the power of deciding the case in his own private parlour. No body of men should be intrusted with such a power, and no body of men who wished to stand well with the community could desire to take it upon themselves. The Bill provided for the summary conviction and punishment of offenders; but these advantages might be obtained by increasing the number of times on which public courts could sit. The Bill before the House was so concocted as to be productive of the greatest possible amount of mischief. The proceedings were to be in secret; there was no responsibility attached to the uninstructed party who was to judge and determine the nicest points of law. He might act as he pleased; and who was to determine whether he decided rightly or wrongly? These extraordinary powers were to be given, not to a learned Judge, but it might be to a fox-hunting justice; and the trial might be conducted in such privacy that private passions, particular interests, and sinister motives might be put into motion to carry out the wishes of particular parties. As he understood, the great object was to prevent the contamination of young persons by their congregating in prison; but by this Bill, although there was the power of summary conviction, yet the punishment was imprisonment. He would not enter further into the details of the Bill; but would ask the right hon. Gentleman the Secretary for the Home Department, whether he was prepared to give it his support?

Mr. BANKES said, that feeling the very great necessity, which had been long known to exist by those who took any share in the administration of the law, of some alteration of the kind proposed by this Bill, he thought they could not be better employed than in considering how far it was practicable to improve the exercise of the criminal law in regard to juvenile offenders. But although he should vote for the second reading, he could not support the Bill in its future stages, unless it should convey in its enactments a direct and specific option to the party accused, of an appeal to a jury if he desired it. Some

time ago he had introduced a similar measure, containing a clause by which that option was given; and providing that where the party accused was young, and had no parents or friends with whom he could advise, the guardians of the poor of the district should watch over his interests, and make that election which might be most desirable for him. As the sessions were at present conducted, young persons might remain in gaol for two or three months after commitment before they were tried, it being almost impossible for them to procure bail.

Sir G. GREY said, that when the hon. Baronet moved for leave to bring in this Bill, he (Sir G. Grey) stated to him that the subject was one of the greatest importance, and that he was glad the hon. Baronet had brought it before the House. He should be sorry now to say one word dissenting from the principle of the measure, namely, that some more speedy mode of trying juvenile offenders was desirable; but he was bound to say there were very serious objections to most of the details of the Bill. The subject required very full and ample consideration; and he could not express a hope, that during the present Session this Bill could be put into such a shape as to receive the sanction of the Legislature. It would only be a partial measure upon a subject which required very full consideration. The objections of the hon. and learned Member for Bath were addressed entirely to the details; but to one of those objections—namely, that if this summary jurisdiction were to be exercised at all, it ought to be exercised in public, and not in private—he thought the hon. Baronet would assent. [*Cheers.*] He understood from that cheer that the principle was at once conceded. But other questions arose, and one of them was a most difficult one, namely, as to the punishment to be inflicted on juvenile offenders in such cases as those which occurred day by day—of children of seven, eight, and nine years of age, being sentenced to transportation, the sentence being accompanied with a recommendation from the chairman of quarter-sessions, or the judge, that it should not be carried into effect, and which no one would dream of carrying into effect; but that the offenders should be taken charge of by the Government, with a view to their reformation, and of their not falling back into the hands of the parents or friends who had totally neglected their education, and who had allowed them to be trained up in vice and crime. That subject had been a good deal under consideration; and although he was not at the moment prepared to lay before the House any definite plan, yet he hoped in the course of the present Session to submit to Parliament a measure which would enable counties or boroughs, or unions, to provide some asylums for criminals of the kind—if they could be called criminals, for it was rather their misfortune than crime—where they might receive a certain degree of punishment, for punishment must be connected with criminality; but more with a view to their reformation, which was the great object after all. If that were accomplished, and the subject was undergoing very full consideration, then it would be much more easy and practicable to give a summary jurisdiction, attended with those guards which there ought to be in all cases where they consigned offenders of that class to prison, so that they might avoid not only that contamination of a long detention in prison previously to their trial, which it was the object of the hon. Baronet's Bill to protect them from; but that which might be occasioned by their imprisonment subsequently to their trial and conviction. He would, therefore, venture to express a hope that, under these circumstances, the hon. Baronet would not press his Bill in the present Session, seeing, as he did, no probability of its becoming law. At the same time, if the hon. Baronet wished to have an affirmation of the principle that there should be a more speedy trial of juvenile offenders, he should be sorry to vote against it; but beyond that he could not go. He thought that if the details of this Bill were as perfect as possible, it would require to be accompanied by other measures. A question arose as to who should exercise this jurisdiction. He did not agree with some observations of the hon. and learned Member respecting the local magistrates, who, in most instances, exercised the authority and jurisdiction vested in them in a manner most satisfactory; but if the Legislature extended their jurisdiction, he thought it became a very material question whether they ought not, in populous districts, to have stipendiary magistrates. It had been extended lately to a great degree; and from the representations made to him from certain districts—such as the mining districts of South Wales—he thought they might look forward to an extension of the appointment of those magistrates—not to supersede the local magistrates, but to act with them; and that a system of that kind

would tend very much to facilitate the exercise of a more summary jurisdiction by persons who would be more responsible to the Government of the country than the local magistrates. He believed that all the apprehension he had entertained as to the abuse of power might be removed by those safeguards to which he had before referred. The principle of this measure was not new, for in 1840 a Bill of this nature had passed through that House, and was rejected elsewhere. But the subject was now attracting more attention than at that time. A Committee of the House of Lords was sitting on the criminal law and the administration of it; and he thought the object of the hon. Baronet might be defeated by any attempt at hasty legislation. At the same time, he entertained the hope that at no distant period this subject would be placed on a more satisfactory footing.

MR. LAW said, that concurring as he did very much in what had fallen from the right hon. Gentleman, he must join with him in his application to the hon. Baronet to withdraw this Bill. He agreed with the principle of the Bill, as enunciated in the first part of it; but he thought enough had fallen from the right hon. Gentleman to convince the hon. Baronet that the subject was not ripe for discussion, especially upon so narrow a basis as that laid down in this Bill. The question of punishment of juvenile offenders was one of the deepest importance; and he thought it deserved consideration whether, in ordinary cases of petty larceny, there should be a conviction of felony, with the forfeiture of goods. If this Bill were proceeded with, he should certainly insist, as a condition of his support, that all offences made the subject of the present measure should be designated as misdemeanors. He greatly regretted that a Bill of this description should be entrusted to private hands. In legislating upon a subject of so much importance, the House ought to be aided by the experience and by the authority of the Government; when a careful digest of all its details might inspire the hope that speedy alterations would not be necessary. It should be a comprehensive and a permanent measure.

MR. E. B. DENISON said, after what had fallen from the right hon. Baronet the Secretary for the Home Department, he trusted the hon. Baronet would withdraw his Bill. If he did not, he (Mr. Denison) should consider it his duty to oppose the second reading. The principle of the Bill was to give to justices the power of trying boys under sixteen years of age in private; a principle most dangerous to the liberty of the subject; upsetting the great principle of trial by jury, and substituting for it a secret tribunal, where no counsel could be heard on the prisoner's behalf. As a magistrate who had frequently taken part in the business of quarter-sessions, and who had occasionally acted as chairman, he thought he might venture to say that he was not altogether without experience. He trusted, therefore, that he should not appeal in vain to his brother magistrates throughout England when he entreated them not only not to ask for such powers as this Bill would impart, but not to be parties to having such powers put upon them. It was only under the pressure of a Government measure that they ought to submit to the responsibility and burden of such authority. There had always been great difficulty in procuring competent chairmen at sessions; and even the most competent of that class often found themselves exceedingly embarrassed without the aid of skilful and learned counsel. He hoped the House would reject the Bill; but he hoped, also, that the Government would take it up, and not expose the country to the danger of having it renewed in private hands.

SIR J. PAKINGTON said, that after the speech of the hon. and learned Member for Bath, and after the other speeches which they had heard in the course of the present discussion—after the favourable reception also which the principle of the Bill had on previous occasions experienced—he trusted that the House would indulge him with the opportunity of trespassing upon their attention for a few minutes. He quite agreed with those hon. Members who said that a measure of this description ought to be in the hands of the Government; but unfortunately the Government had never taken it up, and he had been informed that the Government entertained no intention of bringing in any such measure during the present Session. Neither had he the least reason to suppose that any professional Gentleman entertained any intention of proposing the subject to Parliament. He trusted, therefore, that, influenced by such abstinence on the part of the persons whose duty it really was to bring forward such a measure, it would not be considered to have been presumptuous on his part to submit such a measure to the consideration of Parliament. The first

objection to this Bill was, that it imparted large powers which were to be exercised in private. The law of England recognised the existence of such a court as that of petty sessions. Two justices did constitutea petty sessions; and such trials as were contemplated under this Bill would probably take place most frequently at petty sessions, and therefore in almost every case the trials would be conducted under circumstances of publicity. The power given to the magistrates of England under the 7 and 8 of Geo. IV. were infinitely greater than the ones he proposed to give them. Under that Act, any single magistrate, sitting in his private parlour, might send any offender to prison for twelve months; whereas, by the Bill now before the House the utmost extent of the punishment which two magistrates could inflict would only be six months' imprisonment. He trusted the House would do him the justice to compare the Bill which he now presented for their acceptance with the doctrines laid down in the report of the Criminal Law Commission of 1837; and he did not hesitate to say that that report would be found in perfect unison with the Bill now under discussion. He had very anxiously considered the subject, and he found it impossible to discern any evil that would arise from the small addition which by the Bill it was proposed to make to the existing powers of magistrates. That very learned and able person, Sir Edward Ryan, who was at the head of the Criminal Law Commission, authorized him to say that he was favourable to the principle of the Bill. But he could mention the names of other learned Judges whose authority must doubtless be highly estimated by the House. He might remind them of what Sir Frederick Pollock, the Chief Baron, had upon a recent occasion done at Bury; and he believed that not even that learned person himself would pretend to say that the course which he took was legal. A juvenile offender was brought before him—the prisoner pleaded guilty; but the Chief Baron refused to let that plea be recorded; desired that the trial might proceed; directed the jury to acquit the prisoner; and the little culprit was immediately handed over to the care of his friends. When judges and courts were driven to adopt such modes of proceeding, it surely was time for the Legislature to interfere. Thus, then, they had the authority of the head of the Criminal Commission; they had the authority of the Chief Baron; and the authority also of the County-rate Commission. Besides, he was not the first man who had introduced Bills of this nature in that House. The hon. Member for Dorsetshire had introduced a measure of this kind some years ago. In the year 1840, Sir Eardley Wilmot brought in the Bill alluded to by the right hon. Baronet the Secretary of State for the Home Department; which Bill, he begged to remind that right hon. Gentleman, proposed to give much greater powers to magistrates than the present; for Sir E. Wilmot proposed by his Bill to limit only the age of the offender, but did not define any limit with regard to the value of the property stolen; every larceny committed by juveniles was under that Bill to be disposed of summarily by the magistrates. The hon. Baronet the Member for Dorsetshire said, "Do not give to the magistrates the extensive powers proposed to be given to them by this Bill;" being utterly forgetful, it would appear at the same time, that the magistrates even now possessed powers of a tenfold greater character. In the year 1840, the House by repeated divisions and repeated majorities, affirmed the principle of this Bill, and declared that it was high time that something should be done to alter the criminal law with regard to juvenile offenders. After an unsuccessful opposition by a small minority to the Bill of 1840, it was sent to the House of Lords. And he must here beg to remind the right hon. Baronet the Secretary of State for the Home Department that he found his name, in two divisions, in favour of sending that Bill to the Lords; he also found his name inserted in the list in favour of the third reading of the Bill. He would take the liberty of reading a short extract from the speech of Lord Campbell on the occasion of a Bill of this nature being discussed in the House of Commons at a time when he was Attorney General; and he hoped that the hon. and learned Gentleman (Sir J. Jervis) who now filled that high position, would feel himself bound to follow in the steps of his distinguished predecessor, Lord Campbell. He hoped that the hon. and learned Recorder for the city of London, who had declaimed against this Bill, and who had evidently proved himself ignorant of its details, would pay particular attention to the extract he was about to read. The hon. Baronet read the extract as follows:—

"The principle of the Bill was, in his opinion, unobjectionable. He should, however, feel dis-

posed to improve its various details. The object of the whole appeared to him to be the reconciliation of our different enactments upon the subject of felony by juvenile offenders. The principle of the Act was, that when a child should be accused of felony, he should not be compelled to hold up his hand to the bar upon being arraigned after the manner of a felon, and that the usual jury on such occasions should not be charged with his deliverance, but that his case should be subjected to a domestic tribunal, especially entitled to take cognizance of the offence. The more plausible objections to this Bill and its principle were, that it had a positive tendency to abolish that birthright of Britons—the trial by jury. There was not within those walls an individual, nor out of the profession, who had all along entertained a higher respect for the institution of trial by jury; but he would remind the House, that already the Legislature had departed from that principle in all its strictness, and had sanctioned, in cases of misdemeanor, the adjudication of the case by the magistracy at the sessions. The House ought to be informed of the glaring anomaly that subsisted in our enactments upon the subject of theft. As the law stood, if a boy stole apples from off the tree, it was merely a case of trespass; whereas, strange as it might appear, if he took the apples up from the ground within the orchard, the offence amounted to felony. Such a state of the law was totally irreconcileable to common sense and sound reason, and calculated to bring its authority into disgrace. What he wished upon this subject was, to see adopted some summary but prudent mode of dealing with cases of juvenile offence."

He felt himself compelled to express his extreme regret at the manner in which the right hon. Gentleman the Secretary of State for the Home Department had acted in reference to this Bill; indeed, he must say that he thought he had just grounds for complaining of the right hon. Gentleman. When the Bill was first introduced, the right hon. Gentleman stated most fairly, that in the main he agreed with the principle of the Bill; and that he should not object to its being read a first time, whilst he of course reserved to himself the power of objecting to its details in any future stage. And now the right hon. Gentleman came down to the House and told them, that he objected to all the details, though not to the principle of the Bill, notwithstanding the fact of his name having been recorded over and over again in favour of the Bill of 1840, which, as he had previously said, was more extensive than the present. The right hon. Gentleman said, that he objected to the details of the Bill; and yet he had not pointed out in any one single instance what his objections were. Now, he thought that he had every reason to complain of that on the part of the right hon. Gentleman. If the details of this Bill were objectionable, he was most willing to alter them, so as to meet the right hon. Gentleman's views, so far as he could consistently with the avowed objects of the Bill. Surely, when the right hon. Gentleman had been informed by what a large body of the most experienced authorities on these questions the principles of the Bill were sanctioned, he ought to have stated what were his objections to its details, and he should then have been able to meet them. He was willing to consider those objections, either in a Committee of the whole House, or a Select Committee up stairs. He hoped, then, that the right hon. Gentleman would alter the determination to which he appeared to have come in reference to this measure, and afford him his support in carrying the Bill through the House in such an altered state as was consistent with its principles. He had brought forward this measure, because it had been demanded by the country, by justice, and mercy; it was also called for by the highest legal authorities in the kingdom. He had introduced it with a full sense that such a measure ought to be conducted through the House by the Government; but finding that no one ventured to bring it forward, he had felt it his duty to submit it to the consideration of the House. He had received applications from every county in England, desiring him to urge the measure forward as speedily as possible. He had received from all sides, the most encouraging language to persevere with his Bill. The only objection which he had heard urged by parties out of the House was, that the Bill did not go far enough—that it ought to extend to adults as well as juveniles. He would not then accept the recommendation of the Government to withdraw this Bill. He would press the House to a division, and was willing to abide the result. If the Government succeeded in throwing the Bill out, be it their fault, and not his. He had stated his perfect willingness to submit to any fair alteration in the details which might be suggested by the Government; but consistently with his sense of duty he could not, and would not, consent to withdraw the measure. If they threw out the Bill, the responsibility must rest upon the House; but he did entreat them to give their best consideration to the arguments which he had adduced, and that they would give their sanction to the second reading of the Bill.

The ATTORNEY GENERAL said that, as the hon. Baronet intended pressing this question to a division, he should

follow the course which had been suggested by his right hon. Friend, and give his vote for the second reading of this Bill. His right hon. Friend (Sir G. Grey) did not oppose the principle of the Bill; all he wished, was time for the further consideration of its details. His right hon. Friend deemed the measure to be ill-timed, and he thought it was imperfect in many respects; and the reason why he opposed its further progress was, that time should be allowed to the Government to introduce a measure of a more comprehensive character. They all admitted that it would be very desirable to prevent children who had broken the laws of the country from being subjected to the contamination of our public prisons. Everybody admitted that the class for whom this Bill was intended should not be tried as felons, and everybody was anxious to cure the anomaly of the law which allowed children to be summarily convicted before magistrates for stealing apples from a tree, but in cases where the apples were stolen from the ground under the tree, the law compelled the children to be sent before juries and tried as felons. But this Bill of his hon. Friend did not cure that anomaly. He therefore requested him to delay his measure until the whole question had undergone a complete revision by the Government; after which a comprehensive measure, based on such inquiries, would be submitted to the House. The Government hoped to be able, in a short time, to introduce a measure on this subject which would be acceptable to the House and the country at large. His hon. Friend had said that he was not prepared for the opposition of his right hon. Friend (Sir G. Grey), seeing that he had voted so frequently for the Bill introduced in the year 1840; but since that period many objections presented themselves to his right hon. Friend's notice, which had induced him to alter his opinions; and, indeed, he confessed that his own opinions on this subject had undergone a considerable change, for in 1840 he opposed the measure, and now he was prepared to vote in favour of this Bill, which involved precisely the same principle. He thought it was very desirable, if possible, that some means should be adopted for the more speedy trial of juvenile offenders; but, in common with his right hon. Friend, he had a most insuperable objection to private tribunals. He doubted very much the propriety of placing the offences named in this Bill under the jurisdiction of magistrates; and he had also a great distrust to the species of punishment proposed to be inflicted under this Bill. There were many details of omission which, if the Bill were sanctioned as it now stood, would render it almost an impossibility to work it. As his hon. Friend's first object, viz.—the affirmation by the House of the principle that it was desirable to introduce a more speedy trial of juvenile offenders—now appeared to be gained, he did hope that he would consent to the withdrawal of his Bill. The hon. Baronet, for the part which he had taken in reference to this subject, unquestionably deserved well of the House and the country. He had provoked a most beneficial discussion; and he hoped that as all parties, even the dissentients to the measure, had willingly confessed that they approved of its principle, he hoped his hon. Friend would not at present persevere with his Bill.

Mr. HENLEY must confess that the speech of the hon. Baronet who had introduced this Bill, had led him strongly to the opinion that he did not wish to consent to any alteration in the details of his Bill, because he had taken this course. He had said that the details of his Bill were framed in accordance with the opinions of the highest possible authorities; that the details were founded upon the report of the commissioners who had been appointed to inquire into the state of the criminal law; and that very statement induced him (Mr. Henley) to believe that the hon. Baronet intended standing fast by his details. They had heard a good deal about substituting tribunals for the adjudication of infringements of the law committed by juveniles; and he was very much struck by the observations of the hon. Baronet as to the desirableness of providing domestic tribunals. But he did not define very exactly what he meant by domestic tribunals. As far as he understood the hon. Baronet, the tribunals which he meant to establish were not such as the House ought to approve of. He knew very well the difficulties attending trials at petty sessions, because in some places they were held only once a fortnight, and in some instances only once a month. Now, he wished to know what the hon. Baronet proposed to do with juvenile offenders in such districts, taken into custody during those periods? Much had been said about the anomalies of the existing laws; but they were no justification for such a measure as this. If

they wished to abolish those anomalies, let them grapple with the whole of them, and bring forward a measure for their abolition, and not deal with them piecemeal, as was proposed by this Bill. Such measures as these ought to be taken up by the Government, and not by a private Member of the House. He was by no means anxious to see any more power entrusted into the hands of magistrates. He did not think it at all to be a good argument that, because they already possessed great powers, the Legislature should grant them more. He was quite sure that it was by no means an agreeable task to the majority of magistrates to exercise the large powers which they possessed at present; and he believed that if those powers were increased, the public would not be benefited, whilst to the great body of the magistrates they would be a very disagreeable authority. This measure was really one of details. They might all be desirous of seeing juvenile offenders brought to a more speedy trial than they could be under the present state of the law; but that was no reason why they should give their sanction to this Bill, which, instead of dealing generally with the acknowledged abuses of the law, was merely a measure of details, confined to a portion of those abuses. He had given the Bill his full and deliberate consideration; and the conclusion to which he had come was, that if the hon. Baronet pressed the House to a division, he should feel himself bound to vote against the second reading of the Bill. There was one feature in the Bill which was most objectionable, and against which he could not help protesting; he referred to that portion of the Bill which proposed to constitute one tribunal for the trial of a man, and another which was to sentence him to imprisonment on the admission of his guilt. That, he thought, was the most objectionable clause in the Bill. [Sir J. Pakington: It is recommended by the commissioners on criminal law.] He did not care who recommended it: it was, in his opinion, a most dangerous principle to institute a tribunal for the admission of guilt, when they all knew how liable criminals were to be tampered with before they were arraigned. He, of course, gave the hon. Baronet all credit, and he thought the House must do so too, for his having introduced this Bill, and the manner in which he had defended it; but he could not consent to its being read a second time.

Mr. PACKE objected to many of the details of the Bill; but the evil was so great that he could not consent to delay for one hour the attempt to remedy it. When magistrates felt themselves obliged to resort to shifts, with regard to juvenile offenders, which the law did not sanction, it was time for the House to interfere. He would support the second reading.

Mr. ADDERLEY said, he had never heard a magistrate of extensive experience express any opinion but one strongly in favour of adopting the principle of this Bill. The grand jury at the Old Bailey, every session, recorded their opinion that the majority of the cases of juvenile offenders that came before them, ought to have been disposed of summarily. To say that the Government and the House were well disposed in favour of such a Bill as the present, would not satisfy the feeling out of doors, which was in favour of some speedy remedy being applied to the evils which the present measure proposed to remove.

Mr. BICKHAM ESCOTT had thought it quite clear that the Bill would not pass this Session. It provided a new mode of trying juvenile offenders, a new tribunal, and new punishments, all of which were condemned by some one or other hon. Member. With this want of agreement as to the principles of the measure, it would be a waste of time to read it a second time.

Mr. R. PALMER said, that having acted for many years as chairman of quarter-sessions, he thanked the hon. Baronet for the pains he had taken in introducing a measure so much wanted as the present. Looking at the calendars which came before him, he should be disposed to say, that not three-fourths of the criminal cases were, if they looked to the value of the article stolen, worth the trouble of being brought into court. If an apple were taken out of a basket, a magistrate must send the case to the quarter-sessions; and many instances occurred in which prosecutions for stealing articles not worth 1*s.*, entailed a charge upon the county-rate of not less than 12*l.* He thought the Bill ought not to be limited in its operation to juvenile offenders; for, if an article were of very trifling value, the age of the offender did not make much difference. It would be a god amendment if the value of the article stolen were made the criterion whether it should come under the present Bill or not. He was satisfied that some more speedy means of bringing to trial juvenile offenders and others charged with stealing ar-

ticles of trifling value was very much required. He had handed over to the right hon. Baronet opposite (Sir G. Grey) a memorial signed by the grand jury of his (Mr. Palmer's) county, who expressed themselves strongly in favour of some such measure as the present. He would vote for the second reading.

Mr. TATTON EGERTON would support the second reading of the Bill; but he was not prepared to give his unqualified assent to all the details of the measure. He thought it would be most desirable to send it to a Committee up stairs, with a view to making the Bill as perfect as possible, for such a measure was much wanted.

Mr. PROTHEROE wished to express his satisfaction at what fell from the hon. Member for Warwickshire that the judge should take into consideration the state of education of the criminal. The connexion between ignorance and crime had been proved; and therefore it was unjust to punish the ignorant as much as the educated. He would vote for the second reading of the Bill, though he was far from assenting to many of its provisions.

The House divided on the question that the word now stand part of the question: —Ayes 75; Noes 23: Majority 52.

List of the Ayes.

Adderley, C. B.	Frewen, C. H.
Aldam, W.	Fuller, A. E.
Allix, J. P.	Gladstone, Capt.
Antrobus, E.	Goring, C.
Archdall, Capt. M.	Greene, T.
Arkwright, G.	Grimsditch, T.
Austen, Col.	Halsey, T. P.
Bailey, J.	Hamilton, Lord C.
Bailey, J., jun.	Harris, hon. Capt.
Barnard, E. G.	Hildyard, T. B. T.
Bateson, T.	Hill, Lord E.
Bell, M.	Houldsworth, T.
Benbow, J.	Howard, P. H.
Bennet, P.	Jervis, Sir J.
Beresford, Major	Knight, F. W.
Bodkin, J. J.	Le Marchant, Sir D.
Bramston, T. W.	Liddell, hon. H. T.
Broadley, H.	Lockhart, A. E.
Buck, L. W.	Lygon, hon. Gen.
Bunbury, W. M.	Maitland, T.
Carew, W. H. P.	March, Earl of
Christie, W. D.	Monahan, J. H.
Chute, W. L. W.	Nicholl, rt. hon. J.
Compton, H. C.	O'Brien, A. S.
Coote, Sir C. H.	Osborne, R.
Copeland, Ald.	Packe, C. W.
Courtenay, Lord	Palmer, R.
Dickinson, F. H.	Perfect, R.
Duncombe, hon. A.	Prime, R.
Duncombe, hon. O.	Protheroe, E. D.
East, Sir J. B.	Rolleston, Col.
Egerton, W. T.	Round, J.
Finch, G.	Scrope, G. P.
Seymer, H. K.	Walker, R.
Sheppard, T.	Winnington, Sir T. E.
Sotheron, T. H. S.	Wood, Col. T.
Spooner, R.	TELLERS.
Trollope, Sir J.	Cripps, W.
Waddington, H. S.	Pakington, Sir J.

List of the Noes.

Armstrong, Sir A.	Pechell, Capt.
Bouverie, hon. E. P.	Sibthorp, Col.
Browne, R. D.	Smith, rt. hon. R. V.
Crawford, W. S.	Stansfield, W. R. C.
Denison, E. B.	Strickland, Sir G.
Duncan, Visct.	Thornely, T.
Duncan, G.	Trelawny, J. S.
Fielden, J.	Trotter, J.
Gardner, J. D.	Wawn, J. T.
Henley, J. W.	Williams, W.
Law, hon. C. E.	TELLERS.
Muntz, G. F.	Escott, B.
O'Brien, T.	Roebuck, J. A.

Bill read a second time, and ordered to be committed.

RATING OF TENEMENTS (No. 2) BILL— ADJOURNED DEBATE.

The Debate upon the Second Reading of the Rating of Tenements Bill adjourned from the 17th of March was resumed. Question put that the word "now" stand part of the question.

Sir G. GREY said, that additional reflections upon the provisions of this Bill had not induced him to think more favourably of it. He had received several communications, stating that its operation would cause a great disturbance of property. It applied to the town as well as to the country; and, upon the whole, its application was of too extensive a nature to be passed without much more serious deliberation.

Mr. B. OSBORNE said, that the Bill had caused great consternation in many parts of the country; and he hoped the House would not agree to the second reading.

Mr. P. SCROPE wished to make a few observations, with a view of showing to the House why they ought not to give their sanction to this measure. There were a great number of persons who were excluded from rates by the 54th of George III., and who occupied cottages at a low rent in accordance with that exclusion. They were all working persons; and if this Bill passed, they would be obliged to pay a higher rent for their dwellings, in order to make up to the landlord for the additional rates which would be imposed under this measure. If hon. Members considered the great number of houses excluded under the 54th George III., they

would at once perceive the important character of this measure. The persons who built houses for the accommodation of labourers were generally industrious tradesmen, who had laid up 100*l.* or 200*l.*, and who having sufficient time to spare, were enabled to collect their own rents, and were thus induced to invest their money in building in their own neighbourhood. Now, if this measure were passed into a law, it was quite clear that it was not the owner but the occupier who would have virtually to pay the rates imposed under it. Those who took a comprehensive view of the subject were aware that the speculation in the building of those cottages for the labouring classes conferred a great advantage upon the poor; but if this measure were passed, it would impose a penalty upon the speculations of men who were so useful to society, and would throw an impediment in the way of building houses for labourers. If they agreed to the measure, they would reduce the cottage accommodation for the poor in a very great degree; they would oblige many who now dwelt in single cottages to reside in lodgings; and would cause many families who now occupied two rooms, to reduce their accommodation to one. The men who built those rows of houses for the labouring classes, calculated on a certain interest for their money; but the imposition of this rate would reduce that interest, and consequently have a great tendency to lessen the amount of speculation in such buildings. Thus the effect of the measure would be, to deprive the poor of cottage accommodation, whilst it would defeat its own object by increasing the poor rates. He had a measure before the House which would draw a line distinctly between those cottages which were to be rated, and those which were to be excluded, and which would, in his opinion, be a great improvement on the present system. Under the existing law, persons requiring to be excluded were obliged to go to the parish officer and make an application for the purpose. He then went to a magistrate; an inquiry took place into the capacity of the man to pay 2*s.*, perhaps, for his cottage; and this led to so much practical difficulty in many cases, that the law was not carried out. One consequence of the present system was, that the overseers were often put to very great expense in collecting small sums, so that the expense frequently exceeded the rate; indeed it had happened that the overseers were obliged to expend 6*s.* or 7*s.* in collecting a rate of 9*d.* or 10*d.* Now, he proposed to carry out in his Bill the principle of drawing a distinct line between the class of cottages which were to be rated, and those which were to be excluded, so that both might distinctly appear on the face of the rate-book. He would suggest the exemption of all houses under 5*l.* value in the rural districts, and under 8*l.* value in towns. He begged pardon of the House for detaining them so long; but he thought it better to give his reasons for the views which he entertained.

MR. CRIPPS observed, that the hon. Member for Stroud had taken the opportunity afforded him by this Bill of speaking in favour of a clause of his own which stood on the Paper for this day. His hon. Friend said, that this Bill had caused a ferment in all the towns in England. Now, he could only say that he had himself presented twenty petitions in favour of the Bill, and he had not heard one single objection out of doors against this measure. He believed that the measure would not have the effect of raising the rent of cottages. The rates were, in point of fact, now paid by the landlords. Whether the machinery of the Bill was perfect or not, was another matter; but he thought that the Bill was capable of being reduced into a very tangible and practical shape. No system was more liable to abuse, and was more capable of being abused, than the system of excusing persons from the payment of rates on the score of poverty. He hoped, therefore, that the House would allow the Bill to go into Committee; and he felt confident that, sooner or later, the identical principle of this Bill would become the law of the land.

MR. V. SMITH thought that exemptions, whenever they were allowed, were exercised in favour of the owner, and not in favour of the occupier; and he had himself known cases in which the owner of a cottage attended a vestry meeting, and obtained exemption for it, and then returned home and charged his tenant an increased rent in consequence of the exemption. He believed, farther, that exemption tended to encourage cottages of an inferior class, unfit for the poor to live in; and he hoped that if this Bill were to pass, it would encourage the building of cottages of a superior class. He wished the principle contained in this Bill—that of charging the owner instead of the occupier—was carried farther than it was, as he believed that

much of the unpopularity of the poor law arose from the rates being levied on the tenant, though, in fact, the owner, it was well known, paid in the end. The only objection he had heard to the Bill was, that a Committee was now sitting up stairs, which must consider the question of rating, and that it would be injudicious to proceed with this Bill pending their decision.

Colonel THOMAS WOOD said, that a Committee had sat upon this question, and the evidence of all classes — magistrates, clergymen, and others—was in favour of the principle. His hon. Friend was about to propose a clause exempting towns from the operation of the Bill; not that he thought such an exemption was just, but they must take only such measures as they could carry. As to the encouragement of pauperism, he read an extract from the report of the Commissioners of Local Taxation, setting forth that one of the most active causes of pauperism was the practice of exempting small cottages from taxation. The case of Liverpool had been referred to; and certainly that was a case of grievous hardship. By exempting from rates all houses under 20*l.* a year rent, the burden of the poor rate was thrown upon 6,000 houses, to the manifest oppression of the owners of that property. This Bill would remedy that inconvenience, as Liverpool was not under a local Act, and, therefore, would be subjected to the operation of this Bill. He hoped the Government would think better of their opposition to this Act, and that, in consideration, at least, of the report of the Commissioners of Local Taxation, they would allow it to go into Committee.

Captain PECHELL objected to the Bill, on the ground that it would deprive parties rated under 6*l.* from attending vestries. He could not see that the Bill, in its present state, was for any other object than the disfranchisement of the class of ratepayers alluded to. The hon. Member for Cirencester said, there was no objection to the Bill out of doors; but he (Captain Pechell) found that several petitions had been presented against it, and more would be presented before the Bill was allowed to pass into a law.

Colonel SIBTHORP had always been a friend of the poor, but, at the same time, he had a right to consider all parties; and when they talked of assessing owners, the House ought to remember there was often a difficulty of finding the owner, as the owner might live in one county, while the cottage was situate in another. He further thought that this Bill would not relieve the poor, as they were still liable to have their rents distrained for the rates. He gave the hon. Member every credit for his intentions, but he could not support the Bill.

Mr. BUCK supported the Bill, and insisted that the exemption from rate at present was unduly in favour of the manufacturing interest, and of those who lived in the towns. The Government seemed to consider in all things, not the landed interest, but only the towns.

Mr. GRIMSDITCH reminded the House, that in times of great public distress and pressure upon the working classes it was next to impossible to get rent from them; the owners of the species of property in question often permitted the poor occupiers to remain there at such periods; but it was now proposed to make those owners not only allow that, but pay the rates. If this Bill were to become a law, it would operate most injuriously upon the poor.

Mr. HENLEY opposed the Bill. At present the poor rate was not upon property, but upon the occupier in respect of property; it was now proposed to alter that principle with respect to the poor man. The poor man had now a complete exemption from rating at all if he could prove his poverty; this Bill would virtually repeal that exemption. The hon. Member for North Devon (Mr. Buck) complained that people in towns were exempt to a greater extent than those in the country; but how were people driven into the towns, but by the gentlemen in the country refusing to build cottages on their estates? The great difficulty of the poor in this country was to get houses to hide their heads in at all.

Mr. ALLIX thought it was hardly fair to call upon the poor man, who was receiving relief one week perhaps, to pay poor rate the next week.

Mr. CAREW was certain that if those hon. Members who intended to oppose the measure had seen the scenes of distress which he had witnessed, arising from the attempts made to levy rates where the persons were unable to pay them, they would vote with him for the second reading of the Bill.

Sir J. PAKINGTON did not think that the poor tenant would derive any benefit from the transference of the payment to the landlord, as the landlord would be sure to

take care of himself by levying an additional rent. If the House really intended to benefit the poor, the better way would be to exempt altogether certain properties from paying the rate.

Mr. PACKE considered the Bill as only requiring the owners to pay what in law they ought to pay. Considering how harsh the operation of the existing system often was in regard to the poor, he would certainly support the Bill.

Mr. HUDSON said, he could not give a silent vote, seeing that several hon. Members had asserted that the representatives of the larger towns were not opposed to the measure. Now, he could state that he had received a representation from the borough with which he had the honour of being connected, expressing a strong opinion as to the impolicy and injustice of the Bill. Could it be supposed that the owners of property would not increase the rents if they were saddled with the rates now payable by the tenants? Under these circumstances, the measure could be no boon to the poor. Allusion had been made to those parties who had built houses for the poorer class of tenants, and they had been spoken of as speculators; but he entertained a much higher opinion of these parties than to think or speak of them as having been solely actuated by a desire to benefit themselves. Looking at the miserable unhealthy hovels into which the poor were too frequently thrust, he considered that the persons who provided them with improved residences had shown themselves to be the true friends of suffering humanity. He could not support the second reading of the Bill, as he believed it would bear oppressively on the poor. In taking that course he had the satisfaction of knowing that he was supported by the good sense of the city over which he presided (York), and of the town which he represented.

Mr. BROTHERTON suggested that, in a case where opinion was so much divided as it was on the present measure, the better course would be to postpone the Bill till another year.

Mr. STANSFIELD said, that if he was to be actuated by his experience as a magistrate, he would give his vote in favour of the Bill; but taking a broader view of the question, and being anxious to preserve the independence of the poor, and the rights and duties to which the payment of rates entitled them, he would oppose the further progress of the Bill.

Mr. WODEHOUSE would vote for the second reading under the assumption that the hon. Member for Suffolk had made out his case; but he was convinced that the Bill could not advance a step further.

The ATTORNEY GENERAL observed, that he had heard nothing since the right hon. the Secretary for the Home Department had addressed the House, to induce him to alter the vote he intended to give. The strongest objections had been received from towns against the Bill; and the extent of the opposition was evident from the statements of almost every Gentleman representing a town who had spoken. The tendency of the measure was to influence the value of house property in towns, and so directly to affect the comfort of the poor. He should, therefore, vote against the second reading.

Mr. MILES supported the Bill. At present people on the verge of pauperism were often reduced to extremity by the enforcement of rates. In one case with which he was acquainted, a rate of 11*s.* had involved costs amounting to 13*s.*

The House divided:—Ayes 71; Noes 89: Majority 18.

List of the Ayes.

Acland, T. D.	Holmes, hon. W. A.
Adderley, C. B.	Hussey, T.
Allix, J. P.	Kerrison, Sir E.
Antrobus, E.	Lemon, Sir C.
Archdall, Capt. M.	Lennox, Lord G. H. G.
Austen, Col.	March, Earl of
Baillie, H. J.	Miles, P. W. S.
Bankes, G.	Miles, W.
Beckett, W.	Milnes, R. M.
Bennet, P.	Neville, R.
Beresford, Maj.	Newdegate, C. N.
Boldero, H. G.	O'Brien, A. S.
Bramston, T. W.	Packe, C. W.
Buck, L. W.	Pinney, W.
Carew, W. H. P.	Polhill, F.
Cholmeley, Sir M.	Prime, R.
Chute, W. L. W.	Rashleigh, W.
Colville, C. R.	Rice, E. R.
Compton, H. C.	Rolleston, Col.
Courtenay, Lord	Round, C. G.
Deedes, W.	Round, J.
Duncombe, hon. A.	Ryder, hon. G. D.
Egerton, W. T.	Seymer, H. K.
Fellowes, E.	Sheppard T.
Fitzroy, Lord C.	Sheridan, R. B.
Floyer, J.	Sotheron, T. H. S.
Frewen, C. H.	Sutton, hon. H. M.
Fuller, A. E.	Tower, C.
Glynne, Sir S. R.	Trollope, Sir J.
Gore, W. R. O.	Trotter, J.
Goring, C.	Vyse, H.
Greene, T.	Walsh, Sir J. B.
Halsey, T. P.	Wodehouse, E.
Hamilton, Lord C.	Wood, Col. T.
Harris, hon. Capt.	TELLERS.
Hildyard, T. B. T.	Waddington, H. S.
Hill, Lord E.	Cripps, W.

List of the NOES.

Armstrong, Sir A.
Arundel and Surrey, Earl of
Bailey, J.
Baillie, Col.
Barrington, Visct.
Bell, M.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Bouverie, hon. E. P.
Bowring, Dr.
Bright, J.
Brotherton, J.
Buckley, E.
Buller, Sir J. Y.
Byng, rt. hon. G. S.
Callaghan, D.
Cayley, E. S.
Chaplin, W. J.
Christopher, R. A.
Copeland, Ald.
Crawford, W. S.
Denison, E. B.
Duckworth, Sir J. T. B.
Dugdale, W. S.
Duncan, G.
Duncombe, hon. O.
Dundas, Adm.
Ebrington, Visct.
Emlyn, Visct.
Escott, B.
Etwall, R.
Evans, Sir De L.
Fielden, J.
Ferguson, Col.
Finch, G.
Gore, hon. R.
Grimsditch, T.
Hanmer, Sir J.
Hay, Sir A. L.
Hodgson, F.
Houldsworth, T.
Hudson, G.
James, W.
Jervis, Sir J.
Johnstone, Sir J.
Knight, F. W.
Lascelles, hon. W. S.
Law, hon. C. E.
Lawson, A.
Layard, Maj.
Le Marchant, Sir D.
Lindsay, Col.
Lygon, hon. G.
M'Carthy, A.
Maitland, T.
Manners, Lord J.
Monahan, J. H.
Morris, D.
Muntz, G. F.
O'Brien, C.
O'Connell, M. J.
O'Conor Don
Osborne, R.
Pakington, Sir J.
Palmer, R.
Pechell, Capt.
Perfect, R.
Philips, M.
Plumridge, Capt.
Rawdon, Col.
Reid, Col.
Repton, G. W. J.
Rutherfurd, A.
Sibthorp, Col.
Smythe, hon. G.
Somerville, Sir W. M.
Spooner, R.
Stanley, hon. W. O.
Stansfield, W. R. C.
Strickland, Sir G.
Thornely, T.
Trelawny, J. S.
Tufnell, H.
Turner, E.
Vane, Lord H.
Walker, R
Williams, W.

TELLERS.
Henley, J. W.
Scrope, J.

Bill put off for six months.

TENANTS (IRELAND) BILL.

MR. SHARMAN CRAWFORD moved the Second Reading of the Tenants (Ireland) Bill. He remarked, that having received intimation that Government were not engaged in bringing in a Bill on this subject, he had been induced to take the task of doing so upon himself. The question had been repeatedly before the House in different forms; and it had at different times been decided that compensation ought to be given to tenants for improvements. Under these circumstances, he did not wish to detain the House with any statement on the subject just now, but would simply move the second reading of the Bill. If hon. Members consented to the second reading, he hoped the discussion would be taken on the details. If, however, the second reading was opposed, he hoped he would be permitted to reply to such arguments as might be urged against it.

MR. BERNAL OSBORNE said, that really this Bill struck at the very roots of property, and it would be extremely improper for the Government to give a silent assent to its second reading. It was very fashionable in that House to talk of compensation to Irish tenants for improvements. He was free to confess, that he had at one time been of opinion that Irish landlords were a set of men who were justly proscribed; but that was when he was in the same state of ignorance as a large portion of Members of that House were still in respecting Ireland. Two years' residence there, however, and his connexion with that country, had shown him that there was considerable sympathy due to Irish proprietors. The present Bill professed to secure the rights of the occupying tenants of Ireland. He thought he might more fairly call upon the House to pass a Bill to secure the rights of resident proprietors. He was quite aware of the existence of what was called "tenant right" in Ulster; but he begged to enter his solemn protest against extending it to the south of Ireland. He did not know whether the hon. Member for Rochdale (Mr. S. Crawford) had been in the south of Ireland, or was acquainted with the state of things there between landlord and tenant, but he suspected he was not. He assured the House that he had various tenants who were owing him three or four years' rent, and that, so far from finding it easy to get rid of them, he was obliged not only to give up his claim for the rent, but to make them a present of 50*l.* a piece to go out. What more would they have? The fact was, that the whole south of Ireland was a mass of bad cultivation and bad management. A tenant came in without sixpence in his pocket; he exhausted the land in a very short time, and then asked for a reduction of rent; and when the landlord sought to eject him, he was obliged to pay him to go. The House should really consider these things, and instead of raising the cry against landlords, and setting everybody's hand against them, they ought in the first place to confirm the rights of property in Ireland. But the system of legislation the House was pursuing at present, struck at the very roots of property in that country. He

cautioned English Gentlemen to beware lest the same rules they were now laying down for Ireland should come to be pretty strictly enforced on this side of the water also. He was unwilling to take upon himself the invidious distinction of opposing this Bill on its second reading; but he should feel obliged to do so, unless he got a distinct assurance from some Member of Government present who took an interest in Irish matters, that they would not consent to its passing in the shape in which it then stood. If they gave him that assurance, he should content himself with protesting against it at present, and try to pull it to pieces as much as he could in Committee. [*Cries of* "Move."] Well, then, he begged at once to move, that the Bill be read a second time that day six months.

MR. MONAHAN (the Solicitor General for Ireland) regretted very much the unavoidable absence of the Chief Secretary for Ireland (Mr. Labouchere). Several other Members of Government were also necessarily absent; and, as the present measure was one of considerable importance, and required the best attention of the House, he would respectfully put it to the hon. Member for Rochdale to allow the debate to be adjourned for the present. If the hon. Member declined to accede to that request, he begged to say, that so far as he was personally concerned, he would not take upon himself, in the absence of the other Members of Government, to oppose the Bill; but neither would he be understood by his silence as pledging himself, or those with whom he acted, to the details.

MR. CRAWFORD felt unwilling to object to the adjournment of the debate, if another day could be fixed for resuming it.

Debate adjourned.

House adjourned at Five o'clock.

HOUSE OF LORDS,

Thursday, April 29, 1847.

MINUTES.] PUBLIC BILLS. 2ª Poor Relief (Ireland) Landed Property (Ireland).

Reported.—Commons Inclosure (No. 2); Prisons (Ireland).

3ª and passed:—Harbours, Docks, and Piers Clauses.

PETITIONS PRESENTED. By Earl Fitzwilliam, from Sheffield, in favour of the Proposed Government Plan of Education; and from Howden, and a great number of other places, against the same measure.—From York, in favour of an Irish Poor Law, placing the Poor in Ireland on the same footing with the Poor in England.—From Cloyne, and Ross, for the Adoption of the Proposed Government Measure for ensuring the People of Ireland a sufficient Supply of Food to save them from Starvation.—From Coleraine, for the Adoption of a Measure to secure to the Improving Tenant a sufficient Permanency of Tenure of the Land in Ireland, and a right to Compensation for Permanent Improvements.

IRISH IMMIGRATION—MONETARY AFFAIRS.

LORD BROUGHAM said, he had to present a most important petition which had been entrusted to him by a highly respectable body of gentlemen in Liverpool. The petition was from the select vestry of that town; it was signed by one of the rectors, as chairman of that body, and by the vestry clerk, and was sealed with the seal of the vestry; it represented the grievous infliction sustained from the number of Irish paupers who were coming over still more rapidly than formerly. The petitioners stated, that 150,000 had arrived since the 1st of December last, according to official returns; but they had reason to know, and they believed, that very nearly 30,000—between 27,000 and 28,000—had arrived, exclusive of those shown by the official returns. The total number, therefore, consisted, within a trifle, of 180,000. The petitioners further stated, that 105,000 out of this number remained in Liverpool, and were there now in a state of perfect destitution; that many cases of grievous diseases prevailed among them, the effect of which must be a wide-spread contagion. He begged their Lordships to consider what must be the effect of thus adding between one-third and one-half to the whole population in four months. The petitioners reminded the House that this increase was not one of the people of all classes, but of the poor—that, whereas the Irish Catholic poor in Liverpool amounted usually to between 70,000 and 80,000, they were now no less than 180,000. They then added a hope that their Lordships would pass an Irish poor law with all possible expedition, and in that law restrict the passing of Irish paupers from Ireland into England, and facilitate the passage from England into Ireland of Irish casual poor, which would be the means of relieving them of vast expense. The petitioners, however, were of opinion that the Irish poor law recently passed by the House of Commons would not materially relieve the parish of Liverpool, because the facilities of gaining relief in England, and the amount of relief given, would so greatly exceed that in Ireland, that the paupers would continue to flock over into England as numerously as before. In corroboration of that opinion,

he would add that there were documents in the possession of both Houses, drawn up by competent authority, which would show that the passing of an Irish poor law would increase the immigration of which the petitioners so unjustly complained. He would take this opportunity of asking a question of his noble Friend opposite (the Marquess of Lansdowne). He had received letters from the manufacturing districts that morning, complaining very grievously of the pressure arising from the existing state of the money market. A great number of orders were in hand from America; but in consequence of the present state of things they could not be executed, and they attributed much of these effects to the Act of 1844. He did not want to ascertain the specific intentions of the Government on this subject; but he wished to know whether they had any intention of bringing in a measure to mitigate or relax the Act of 1844?

The MARQUESS of LANSDOWNE assured his noble Friend that the pressure existing in the manufacturing districts had been under the most anxious consideration of Her Majesty's Government; but he was not prepared to say that they intended to introduce a measure of the nature referred to by his noble and learned Friend.

LORD ASHBURTON was understood to represent that through the extraordinary pressure in the money market men of the highest credit had yesterday been obliged to consent to give 12 and 13 per cent for discounts.

LORD MONTEAGLE was rather astonished that public attention had not been earlier directed to the existing pressure; but consideration must be given to more points than one in any discussion upon it. The question to be considered, no doubt, was the propriety of some alteration in the last Bank Act; but another question was the mode in which that Act had been carried out, and the effects produced by the mode of carrying it out. Without expressing any opinion now, he would observe that a measure might be right in itself, but be disorganized by its practical administration. Other questions also must be taken into consideration. Among them were the peculiar state of our trade and commerce, for without the diminution of any demand for any other article of produce, there was an unexampled demand for a larger amount of cereal produce for the consumption of this country than was ever known. These questions were inseparably bound up with any conclusion to which the House might come; and he hoped the whole subject would speedily come under discussion. As to the petition presented by the noble and learned Lord, it was unquestionably true that the people of Liverpool were suffering from the immigration of Irish paupers; but in their petition they made the important admission that the Poor Relief Bill for Ireland would not assist them.

The EARL of WICKLOW agreed with the noble Lord that the Irish poor law would increase Irish immigration. With regard to the petition presented by his noble and learned Friend, it was necessary to remind the people of Liverpool, that though they suffered from Irish distress, they forgot the enormous influx of wealth which that same distress had been the means of bringing into the town. If they would take the trouble of comparing the amount of relief levied upon them with the large sums they derived from the importation of foreign corn from every part of the world, they would find that perhaps there never had been a year in the annals of the town in which they had obtained profits so immensely great as in this year. He believed the people of Liverpool benefited more by their Irish commerce than by that of all the rest of the world together. If therefore they continued sending these petitions to his noble and learned Friend, it was but right they should be reminded of the immense advantages they had derived, not only from the general commerce of Ireland, but from the severe infliction which that country had sustained.

The MARQUESS of WESTMEATH had no doubt the town of Liverpool had great cause of complaint; but their grievances were not likely to be redressed by the present Bill. He felt himself bound to vote for the second reading of the Bill; but it was in the anticipation and with the certainty that, if it were passed, matters would be just where they were before.

After a few words of explanation from LORD BROUGHAM, the petition was ordered to lie on the Table.

POOR RELIEF (IRELAND) BILL.

The Order of the Day for the Second Reading having been read,

The MARQUESS of LANSDOWNE said: My Lords, it has now become my duty, on the part of Her Majesty's Government, to propose to your Lordships the

second reading of a Bill for extending relief to the poor of Ireland; and in requesting your Lordships to proceed with this Bill through its different stages, I am deeply sensible that I am inviting your Lordships to follow me in a path which is beset with difficulties and with danger, and that we are about to embark in a navigation in which, although it is clear to what port we ought to steer, yet that our arrival at that port must be through rocks and shoals, which it will require all the care of your Lordships, and all the care which the best exertions of Government can bestow upon the administration of this law, to steer clear of, so as to make it finally effective and secure. This law, I need not tell your Lordships, is founded upon the existence of a calamity with which your Lordships are become by this time but too well acquainted: and on a state of disorder and disorganization of society, following this dispensation of Providence, which, great as your Lordships were induced to think it when the subject was first brought under your considerotion, has, during the months that have since passed, not diminished, but increased in intensity—a state of disorder and disorganization which has fallen with a degree of suddenness and intensity unparalleled in the history of nations upon a country unfortunately the least of all prepared to bear up against it—a country in which, whilst there prevails disorder arising out of a total deficiency of the means of ordinary subsistence, there at the same time exists a density of population without the usual resources, except in a very small degree, of manufactures; and without the usual resources, except also in a comparatively limited degree of commerce:—I repeat, my Lords, in that country there exists a density of population unparalleled even in those countries in which both manufactures and commerce flourish to the utmost extent. So that, deprived of those resources which, in other countries, are the best auxiliaries, and mutually support and assist each other, and deprived of the power of drawing upon other resources at home—because it is upon the cheapest description of food that they have heretofore lived—the people of Ireland are called upon at once to find means of subsistence which in the country itself do not exist, and to make preparations for the future, to do which requires a capital which the country does not afford. I think it right to state all the difficulties of the case in their severest colours to your Lordships, although, in stating them, I may yet indulge the hope that there are some lights to relieve the picture, and that it is not without some consolatory topics that I am compelled to bring before you in all its intensity the magnitude of the evil, however insufficient the measure I am about to propose may prove in averting all its baneful consequences. Whatever variety of opinion may exist as to the means to alleviate the evil to be met, of this I am fully persuaded, that there prevails among your Lordships but one conviction as to its extent and intensity, and but one desire that it should be adequately met and remedied. But, my Lords, when I propose this Bill to your Lordships, I do not offer it as an adequate remedy for the distress that exists in Ireland; for a permanent remedy I do not conceive it to be. The permanent remedy for that distress must be looked for from other sources and from other means. The only ground upon which I have to ask your Lordships' assent to this Bill is, that it is an important, if not an indispensable palliative of an overwhelming malady; and it is a palliative which I believe your Lordships will be compelled to adopt, because I have neither seen myself, nor, discussed as this subject has been here and elsewhere by others, have I heard it suggested, by what other palliative than this the existing disorder in Ireland can be removed. Before proceeding to state to your Lordships what the measure is, I will state to you what it is not. In the first place, I think it material to state, after what I have heard in this House, after what I have heard elsewhere, and after what I have heard in this country, as well as from what I know to be apprehended in Ireland, that this Bill is utterly opposed to any general and permanent system of out-door relief in Ireland. It is not therefore what it has been described—a Bill tending to a confiscation of the property of Ireland. If the Bill had involved any such principle, I should be the last person to propose its adoption to your Lordships, because I feel convinced that whatever anticipation of preventing a recurrence of the existing calamity by the adoption of such a system, might, under misguided hopes and a blind confidence in the future, be suggested, any attempt to establish an indiscriminate right to out-door relief in Ireland must be attended with consequences fatal to that country, fatal to the property of that country, and, above all, fatal to the character

of the people of that country. My Lords, no such proposition is involved in this Bill. If any such right were attempted to be conferred by Parliament, its immediate effect would be to increase the number of consumers, already too great, and to diminish the number of producers, already too small; the effect of it would be gradually to withdraw capital from the country, instead of adding capital to it—to diminish the inducements to industry, instead of increasing them—to disorder the relations that exist between landlord and tenant, between producer and consumer; and thus, while everything that is an incentive to production is gradually diminished, everything that augments the pressure of consumption is gradually increased, until we arrive at that result when the produce of the country would cease altogether, and nothing would be found in it to meet the wants of the increased multitude of consumers. It is in fact a right which although your Lordships may enact it, it will be impossible to maintain—a right which you may confer in name and place upon your Statute-book, but which, to make it effectual for the object intended, you may be also able to do that which you cannot do—to compel people to produce. Because, if you interfere with the rights of property to the extent of creating a prior interest in production to that possessed by the proprietor himself, the inevitable result must be that the proprietor will cease to cultivate or produce at all: he will divert his industry to some other channel; and the poor of the country will be left with a gradually diminished produce instead of an improved one, and be thrown, after sharing that produce how they can, to a greater extent than ever on the charity of their neighbours. That, I believe, would be the inevitable result of an absolute right to out-door relief; and therefore it is that I feel bound to declare myself distinctly adverse to the prayer of the petition which has been presented this night by my noble and learned Friend, and which, therefore, as my noble Friend, who afterwards alluded to it, truly characterized as being against the Bill now before them. It is a petition against the Bill: in what sense? Not because the Bill is too stringent, but because it is not stringent enough. The prayer of this petition is not that this burden may not be inflicted upon the property of Ireland, but that a much greater burden may be imposed upon that property—imposed to an extent which, as avowed by the petitioners, would make the condition of eight millions of starving people of Ireland, actually better than the condition of twelve millions of thriving English people. I think it the most preposterous proposition ever submitted to Parliament. I will again say distinctly that such an enactment is beyond the power of Parliament—that your Lordships will act unwisely if you attempt that which is so impossible to be carried out; but that you will, on the contrary, act wisely, to consider in all you do that you must act under the divine law, which prescribes certain conditions for the existence of society, which conditions are to be found in the principles of human nature. You will do well to recollect that great doctrine laid down by a pious French author, who emphatically said, "Remember that it is man that proposes, but that it is God who disposes." If you attempt to contravene those general laws by which the dispensations of Divine Providence govern the actions and regulate the whole system of society, you will soon learn to lament your rashness in adopting a course which will have proved a curse instead of a benefit to the country. I wish thus to state my own opinion openly and strongly on this occasion with regard to the evils of indiscriminate out-door relief. But, my Lords, if I am asked—having so great a jealousy and mistrust of that right of relief which would exist under a system of out-door relief extended generally—"Why is it, if you think this so dangerous a principle, so dangerous to the labouring classes themselves, so calculated to divert them from the pursuits of honest industry, and to increase pauperism, so adapted to nourish and perpetuate the misery which is so peculiar to the character of the Irish, who are too much inclined to live in a state of indolent pauperism and destitution—if you see all these calamities, on what ground is it that you propose the modified adoption, in a qualified degree, of this very principle in the measure which you now bring forward?" My Lords, I am bound to answer this question; I am bound to vindicate the course which Her Majesty's Government are about to pursue. It is true, my Lords, that you will encounter a great degree of risk in any approximation with whatever qualifications towards the giving of out-door relief in Ireland; but you are to consider on the other hand where the remedies are to be found for a state of things which may be expected to arise amongst a people so peculiar in their habits under a change

of system. There is no noble Lord who hears me—and most of us are well acquainted by description, if not practically, with the state of Ireland—there is no noble Lord who hears me who cannot but have come to the conclusion that there is no remedy for Ireland, that there is no safety for Ireland, but in a great, a radical, and a permanent change in the pursuits and habits and agricultural industry of the people of Ireland. To effect this, to promote this great change, to make it safe and innocuous, instead of being mischievous and dangerous, ought to be the great object which your Lordships should keep constantly in view. What, my Lords, is the nature and extent of the danger? The customary sustenance of the people is practically gone; the potato may continue to be cultivated; it may be sown for some years to come: but no man would be justified in saying that upon the potato the population of Ireland can in future depend —yet upon the potato they have hitherto depended. But I say that now the safety of Ireland requires that there should be a change in the habits of the people; that change must be extensive; it must be general; whole districts must assume a new character—whole districts of the country that up to this moment have been never touched but by the spade, must submit to the pressure of the plough—whole bodies of the people who have lived under the assumed character of farmers, and under that character eked out a miserable existence, dependent on the accidents of nature, without resources, and without subsistence if those accidents of nature failed them, and yet who, nevertheless, have an attachment founded on hereditary habits for that particular condition of life—whole masses of these people must undergo the discipline of learning that that condition is practically gone—whole masses of the people must learn that it is only in a new condition that they can earn a more honourable and a less precarious subsistence. But these extensive changes must not be confined to the lower orders of the people; the proprietors of the land, also, must submit to a great change. The same habits in the proprietor that have led him hitherto to indulge and to protect his tenantry in this species of lazy and careless cultivation must cease, and give way to a more improved, and more enlightened, and more active course in the management of their properties. I say this, although I have maintained in this House, and do still maintain, that for the great evils now pressing upon Ireland, neither the Legislature nor the proprietors of Ireland are in any degree answerable. While I say that they are not answerable for the overwhelming evil which now presses upon the country, I know, indeed, that the proprietors might have prevented the occurrence of this contingency, if, in the exercise of their undoubted rights of property, they had, some years ago, discouraged the cultivation of the potato on their estates: but need I ask your Lordships, if they had attempted to adopt such a principle, would society have borne them out in applying it? Would not the very attempt—full of prudence, full of wisdom, and full of knowledge as it would have been—would not public indignation have stigmatized them throughout the country as tyrants, as innovators, and as destroyers of their species? and would they not have been held up, not only in Ireland, but even by some persons in the Parliament of England, who were not unwilling to embrace opportunities of attacking them, in the most odious colours? Therefore, I repeat, it was hardly to be expected from the landed proprietors of Ireland that they should have adopted that mode—the only one which could have been effectual —of preventing the recurrence of the present calamity. It is, therefore, only by creating a sufficient number of stimuli to the landed proprietors and to the peasantry of Ireland that we can hope to effect that great change which shall have the effect of substituting one state of society for another in Ireland, and of raising up a degree of prosperity by their exertions, aided by the exertions of the people themselves. Who is there among your Lordships old enough or wise enough to foretell how long a time must elapse before the dislocation of all the elements of society which so great a change must disturb, can be composed and set to rest, and a reformed state of things substituted? I will venture to say that it would be as wild and absurd for any man to attempt to state the exact number of years necessary for this purpose, as it would be presumptuous in a geologist, however learned he might be, to state what was passing under the surface of the globe, and what time would be required to effect any of those great physical changes which, under the laws of Providence, were continually and gradually in progress. It would be equally difficult to attempt to define by what period such changes as those to which I refer can be produced in

Ireland. I, therefore, appeal to your Lordships whether, during the time that this transition in the state of Ireland is going on, it is not necessary to provide for those perpetually recurring disorders which are to be expected during such a change? Supposing even that the peasantry should at once become more industrious, and that the farmers should be enabled at once to carry on great improvements and new kinds of agriculture—supposing all the elements of improvement to be set at work at once, there would still, in the preparation of society for a state altogether new, be from time to time thrown upon particular districts, and to a great extent, numbers of persons unable, without a certain degree of assistance, to support life. Where were such persons to find sustenance when those casual, but at the same time certain, disturbances took place? Some provision must be made for them, for the Government can never be insensible to the just claims of poverty. Your Lordships have seen the calamity of this year met by a degree of liberality which does honour to human nature—you have seen this calamity call forth a sympathy in Ireland and in this country, irrespective of the cause which had led to it, or of the character of the persons to whom it was extended. It has drawn forth relief from England with a liberal hand, without inquiry whether the recipient of the relief was of Irish or of English descent—whether he was Catholic or Protestant—whether he was of Saxon or of Celtic origin: it has gone forth without any of these considerations—of these vile and miserable distinctions, which I hope are fast dying away, despite the wicked efforts made even now to perpetuate them in the midst of the sufferings of the people and of the trials to which they are exposed, instead of the opportunity being taken to exhibit the people of both countries, or rather of the same united country, as brethren in affection and suffering in interest. But that exhibition of sympathy, let me say—and I rejoice to say it—has not been confined to Ireland and to England: it has crossed the Atlantic; and your Lordships have seen from that country where community of descent, and in some respect community of institutions, had kept alive reminiscences of Irish and of English feelings, a burst of generosity—amounting, as I believe, to millions of dollars—has been witnessed, and has resulted in the transmission of food to Ireland, simultaneously with the supplies sent from this country, with the same benevolent object; and this amount of succour and sustenance has, as I have been informed during the past week, had a material effect already in many districts in the south of Ireland; and it is a gratifying circumstance attending the supply, that it has been intrusted for distribution to the body of persons called Quakers, who are always distinguished for their benevolence and activity in the cause of charity. It is also a circumstance worthy of notice, that the first vessel sent from America with gratuitous relief for Ireland was named after the place where the first building was erected by the earliest settlers of English origin in that continent. But do your Lordships think that to such supplies as these, derived from the charity of this or other countries, the population ought to look for five years to come? My Lords, I say we must look to other means and other resources, and after carefully considering all the difficulties and all the remedies which have offered themselves, and none other have been suggested, though the most able and powerful minds have been directed to the subject; and after being so directed, and after ample opportunity has been given for forming an opinion, nothing has appeared better calculated to meet the difficulty than a qualified system of out-door relief, temporary in duration, and guarded, as it must be the wish of your Lordships to guard it, and as it is the desire of Her Majesty's Government, and of the other House of Parliament to guard it, from those abuses which I am ready to admit may be the concomitants of such a system. I therefore submit to your Lordships a Bill, which is based upon this principle, and which I trust will meet with the concurrence of your Lordships. This out-door relief is not to be given as a right to all persons; but, under the responsibility of an establishment in Ireland, of the Poor Law Commissioners of Ireland, and of the Government of Ireland, to certain districts for a certain time. I proceed shortly to state what the provisions of the Bill are; I will not go through them, but will mention the clauses of the Bill which appear to me at all important. You will find that by the first of these clauses it is provided that the guardians of the poor of every union in Ireland—

"Shall make provision for the due relief of all such destitute poor persons as are permanently disabled from labour by reason of old age, infirmity, or bodily or mental defect, and of such destitute poor persons as, being disabled by reason

of severe sickness or serious accident, are thereby deprived of the means of earning a subsistence for themselves and their families, whom they are liable by law to maintain, and of destitute poor widows having two or more legitimate children dependent upon them; and it shall be lawful for the said guardians to relieve such poor persons, being destitute as aforesaid, either in the workhouse or out of the workhouse, as to them shall appear fitting and expedient in each individualcase."

It is left to the guardians, however, to apply what is called the workhouse test in every case. By the next clause it is proposed, that there shall be a power given to the Poor Law Commissioners, from time to time, to empower the guardians, on representation being made to them, in extraordinary cases of destitution in any particular district, to grant out-door relief to persons applying for it; but that power given by the Poor Law Commissioners to have force only for the space of two months. If necessary, it may be renewed at the end of that period; but in no case shall it continue beyond two months, unless by a renewed order issued by the Poor Law Commissioners. And, my Lords, it is directed most necessarily, and as one of the most important guards that can be applied to this measure, that this assistance shall be given in food only. Relief by payment in money has been tried in England, and it has been found to be an abundant source of abuse. It certainly has been urged that parties, if so inclined, may sell the food given to them, and so turn it into money; some security, however, is provided against such an occurrence in the proviso, that it shall be in the power of the poor-law guardians, when a person shall be discovered to have converted the food relief into money, to discontinue the giving any further relief to that individual. These guards having been so far provided, it has been resolved that out-door relief shall be administered, but only where the workhouses are full, and that the guardians shall at all times have the power, and that it shall in fact be their duty, if they do not see sufficient cause to the contrary, to require all persons applying for relief to come into the workhouse. It has been thought necessary to make this proviso, as the poor of Ireland have a great, indeed an almost insuperable, objection to enter the workhouse. Then, my Lords, as to the funds required under this Poor Law, it is proposed that they shall be provided by a rate to be paid in equal proportions by the proprietor and the tenant, except in the cases of the very lowest description of farms—if, indeed, they can be called farms—I mean those under the value of 4*l.* annually. But in all cases where the value of the farm shall be 4*l.* and upwards, the rate is to be divided equally between the landlord and the tenant. And I do hope, that whatever alterations your Lordships may make in this part of the Bill, it will not be that of throwing the whole of this burden, or the greater portion of this burden, upon the tenants; for I do think, that the proposal here laid down by Her Majesty's Ministers, is one that will be found most conducive to the interests of all parties in Ireland. But, besides the considerations in favour of these proceedings, arising from the great pressure to which I have alluded, and from that overwhelming necessity that induces me to look to that alone as the means of relieving that pressure, there is a consideration of a more political nature that had great weight with me in leading me to give my concurrence to this measure. It is well known that for years a complaint against the number of absentees not residing on their properties in Ireland, has been one of the favourite subjects of grievance in that country, and one of the favourite subjects of misrepresentation. I have more than once experienced the effect of that misrepresentation, arising from a feeling based on the very reverse of the truth —a feeling which exists, I will not say universally, but generally, and I will say not unnaturally, in that country. And how is it that that feeling is more likely to arise in periods of distress and difficulty than in any other? It is from a belief that the absentee proprietor leaves the pressure of the poor of the district to which he belongs, to fall only on those who are resident in that district. Now, I say it is a powerful political argument, that this proposed arrangement will put an end to that complaint. Why, my Lords, the cause of the complaint of absenteeism exists in other parts of the kingdom besides Ireland. There are counties in the north of England and in Wales, where there is as large an absence of the great proprietors as in Ireland; but you do not hear the same complaints from those quarters; and why? Because the absentee landlord is bound to contribute equally to the necessities of the poor with the landlord who resides on his estate. Make it so in Ireland likewise, and there will be an end put to this plausible subject of complaint.

Lord STANLEY: The absentee pro-

prietor does pay his contribution in Ireland. He pays through his tenants—the tenant pays for all.

The MARQUESS of LANSDOWNE: He pays the rate through his tenants—that is true. But I am at present dealing with impressions; and I am sure my noble Friend opposite knows enough of Ireland to know that facts are valuable there only where they do not require to have their effects explained; but where they require to be explained, their most beneficial effects are lost. It is the impression upon the minds of the people that we have to remove; and I think it is most important that the impression regarding the want of contribution to the poor by absentee proprietors should be removed altogether, and that their real position should be made manifest to the meanest understanding in Ireland. But I suppose from the manner in which my noble Friend interrupted me, that he supposed I was applying myself to the question of the distribution of the rate between the landlord and the tenant, whilst I was really speaking only upon the system of giving out-door relief. My object in the argument I was pursuing, was to show that by establishing a qualified system of out-door relief by Act of Parliament, in the way proposed in this Bill, you will remove a common cause of complaint, and insure a much greater degree of harmony, and the likelihood of a better understanding between landlord and tenant. There is another very material point connected with the Bill. The relieving officers are to be empowered to grant relief in any case of urgent destitution at the moment. I know that that is a regulation which may be questioned, and that much must depend upon the careful superintendence that is exercised by the guardians and relieving officers; but I hope that by such a regulation carefully exercised, we shall be able to avoid the occurrence of such a casualty as death from starvation, because there is no one ready to give relief at the moment. Another provision of the Bill is the restriction, which, I trust, your Lordships will leave untouched. I mean the restriction which confines the class of persons to be relieved to those not possessed of any portion of land exceeding one quarter of an acre. That regulation has been introduced as a stimulus; people holding land should be stimulated to exertion sufficient to insure their maintenance: and if they should be unable to secure that, and should be driven to seek relief, then I think it consistent with justice that they should give up their holdings. I will next direct your Lordships' attention to the 11th Clause, by which the expenses of the rating are regulated. By that clause, any expenses beyond 2*s.* 6*d.* in the pound becoming necessary for a particular district are to be charged and levied upon the union at large. When the proper time comes, I shall be prepared to discuss that subject candidly and fairly; but it may be as well for me now to state the ground upon which that distinction has been founded. It is most desirable that every sort of stimulus should be given to landed proprietors to improve their properties as far as possible; but there may be cases in which the proprietor can exercise no sort of control over the persons who hold the land; and if we were, by the provisions of the Act, to make the district responsible for the support of the poor within it, it may happen in many places, and especially in large towns, that their resources would be annihilated altogether. Another question involved in the provisions of the Bill, is the subject of emigration, the nature of which I will not now detail, because it is only a carrying out under another form one of the provisions of the old poor law. In the old law there is a provision by which assistance could be given to such of the poor who were willing to emigrate; but in the Bill before your Lordships, it will be enacted, that if the proprietors of a district will themselves advance two-thirds of the expense of sending out such of the poor as wish to emigrate, it shall be in the power of the guardians to raise the other one-third to assist in effecting the emigration. The only other provision is that which relates to the number of *ex-officio* guardians relatively to the number of elected guardians. That relative number is proposed to be increased by the present Bill, provided that in no case they shall exceed the proportion of one-half of the entire board, both *ex-officio* and elected guardians. There is a special clause relating to the schools attached to the Dublin unions. It is also provided that an auditor shall be appointed; and it is directed that every case of relief, after having been first recorded in the proceedings of the guardians, shall be reported by the auditor to the Poor Law Commissioners, to be subjected to the disallowance of the Commissioners if they should deem it improper. I have stated so far the provisions of the Bill; but I shall be sorry if I have led your Lord-

ships to believe that I think it would be expedient or desirable to pass it into a law unaccompanied by other measures. In my own opinion, other measures as concomitants to this Bill are indispensable. One of these other measures which I consider most necessary, has been introduced within the last few days into the other House of Parliament—I mean the Vagrancy Act. My Lords, I am sure your Lordships feel the necessity of giving every facility in your power to the exertions of Irish proprietors for improvement in the cultivation and improvement of their properties. With respect to that subject, a Bill has been introduced by my noble and learned Friend upon the woolsack, which is now upon your Lordships' Table, having been read a second time, the object of which is the facilitating the sale of encumbered estates—it being a great public object that the proprietors of encumbered estates upon which they can make no improvement, shall have both every inducement and means to sell. Besides these measures, there is a Bill for the reclamation of Waste Lands to be introduced into the other House of Parliament; and a Bill for the second reading of which I shall have to ask your Lordships' permission, as soon as the one before you shall have been disposed of, the object of which is to make advances to landlords to enable them to introduce a system of cultivation and of improvement, such as they have not themselves the means of carrying into effect. And, my Lords, I have the satisfaction to state, that even before this Bill has passed into a law, and in consequence of its announcement, there has been manifested, on the part of landlords in many parts of Ireland, an anxious desire to avail themselves of its provisions. Surveys, with a view to that end, have been made in many places, and improvements on a large scale projected, all in the expectation of this Bill being passed into a law. There are other measures beyond those I have mentioned, although they are only of a subordinate character; such, for instance, as the assistance given to the erection of weirs, and the construction of curing stations, which are being established in several parts of Ireland at the public expense. My Lords, when I say that those stations for the curing of fish are being established at the public expense, I must be permitted to add a curious and important fact: two of these stations which were erected so lately as the autumn of last year, have already paid for themselves—they have actually repaid their cost; and by providing places for the sale and the curing of fish, a new species of trade was being opened along the coasts of Ireland. That these measures for the improvement of Ireland will be altogether sufficient, I am not prepared to say; but that they will go far to stimulate and encourage the resources of that country, few persons can doubt. I may here state to your Lordships, that it is also in contemplation to apply an important stimulus to the enterprise of the country. I refer to the amount of 500,000*l.* which it is proposed to supply in the way of loan to the most important trunk railway in Ireland, the Great South-Western Railway. Such an advance will be of great advantage, especially to the counties of Cork and Tipperary, which have suffered so heavily from the prevalent distress. That advance, it is believed, will lead to the accomplishment of that great work in less than a year. There have been also advances sanctioned to the Waterford and Kilkenny and to the Dublin and Drogheda Railways, though not to so large an amount; and the condition upon which these advances are to be made, being that 50 per cent of the capital should have been actually paid up by the subscribers, the public will have the very best security for their money. Her Majesty's Government have thus endeavoured to apply a stimulus to the industry of Ireland, but those advances can only derive their full effect from the zeal of the landlord proprietors; and it is to the corresponding exertions of those gentlemen that your Lordships must ultimately look for a happy future. To their exertions only, can we look for a prospect of

> "——— that happier hour,
> Which blackest clouds that dimly lower,
> And darken round our weary way,
> Gild with a gleam of distant day."

But your Lordships may materially assist those efforts. I therefore pray you to adopt the measure which I have now to request your Lordships to read a second time—a measure which will have the immediate effect of preventing a certain proportion at least of that amount of calamity which presses upon the country and demands instant attention. While thus addressing your Lordships, I have been painfully reminded by the place in which I now stand, and I beg also to remind your Lordships, of the striking contrast which exists between this hall, glowing with all the colours of prosperity—the very type and manifestation of all the luxury, of all the wealth, and of all the power of the country

which it so faithfully represents—I have been, I say, painfully reminded of the contrast between this scene of imperial grandeur and the depth of that dark abyss of misery, the pains and suffering of which your Lordships are called upon, and which it is your duty, to alleviate. All that I pray is, that you may be enabled from these splendid heights to look down with a clear and undazzled eye upon those prospects of want and misery which in that portion of the kingdom for which you are called upon to legislate no one can doubt exist, and which, existing, entail the solemn necessity on your Lordships of endeavouring to provide for. I now move that the Bill be read a second time.

The EARL of CLANCARTY: I can assure your Lordships that I have not felt myself excused by the notice I gave of moving an Amendment upon the Motion just made by the noble Marquess for the second reading of this Bill, from the duty of following the noble Marquess through his speech, rather with the desire of being convinced by his arguments, than with the view of finding grounds of objection. I watched, however, in vain, for that which was to have been expected at this stage of the Bill, viz., a recommendation of its principle. The noble Marquess has certainly not in any degree attempted to recommend the principle of the Bill to your Lordships. On the contrary, he has admitted the dangers and evils to be apprehended from the Bill, the risk of which is only to be justified by the emergency which has induced Her Majesty's Government to propose it. My Lords, I cannot think that an emergency—a state of things that may be, and, it is to be hoped, will be, of very temporary duration—is any warrant for proposing a permanent measure fraught with so much difficulty, danger, and positive evil as that which the noble Marquess has just brought forward and explained to your Lordships. On the contrary, I am rather justified in the opinion I before entertained, that it is a Bill that your Lordships ought not to pass. I am far from desirous of throwing any obstacle in the way of a properly extended and complete system of poor law for Ireland. The part that I took on the question when it was first introduced into this House nine years ago—the pains I have since taken to bring the law into beneficial operation in the part of Ireland with which I am connected—and the labour which in common with several of your Lordships, I last year devoted to an inquiry into the working of the Act, with a view to its improvement—are earnests at least that I am no enemy to the principle of making provision for the destitute, or indisposed to co-operate in making legal such provision as effectual as possible for its object. But, desirous as I feel, that a good and efficient poor law should be enacted, and most willing as I am to subscribe to the doctrine, that the destitute poor of Ireland should be provided for from Irish resources alone, although I think the destitution in that country is quite as much attributable to bad laws, and to bad government, as to any neglect on the part of the proprietors of land—I cannot but feel that the question is one that should be cautiously dealt with; that the inquiries which have from time to time been made as to the peculiar circumstances and character of the poorer classes of the Irish people, should be more carefully considered than they appear to have been, and compared with the results of poor law experience in this country; that no step should be hastily taken, no Act of such a nature as the Bill on the Table, passed as it were by surprise, least of all at a time when those the most interested in the question—those with whom the local administration of the law must rest, and upon whom the burden must fall—are so taken up with the onerous and very painful duties which the Legislature have recently cast upon them, that they can neither be consulted nor find time nor opportunity to consult together, so as to lay their views individually or collectively before Parliament. I ask your Lordships, is this a time when such a Bill as that now before your Lordships should be carried, I should rather say hurried, through Parliament? The haste with which the temporary relief Bills of the last and present Session have passed, was only justified by the pressing nature of the emergency; but the consequences of haste, even in a measure of temporary duration, have been severely felt in the experience we have had of the Labour-rate Act—an Act, be it recollected, against which Irish landlands alone remonstrated. Millions of money squandered, the land mortgaged, for the purpose of raising the money, the communications of the country in many cases injured, the labourers demoralised, and the cultivation and improvement of the land neglected, at the very time when the protection of our home agriculture having recently been withdrawn, it was most requisite to stimulate the skill and aid the enterprise of the husbandman. We have yet to learn what will be the result of the Act

of the present Session: whether it will prove effectual in ensuring the diligence, order, and economy, so necessary in the distribution of food to the multitudes now dependent on public resources. Anxiously as the operation of this temporary Act must be viewed with reference to its immediate object, the preservation of life in the midst of famine, it is also interesting in another point of view, viz., as affording a practical illustration of that system of out-door relief in food which is embodied in the Bill upon the Table of the House. The Relief Commissioners in their report, recently presented to the Lords of the Treasury, express in a few words an opinion respecting it well deserving of consideration :—

"Your Lordships are aware that the relief we are now administering is not only of a temporary character, but necessarily of a nature contrary to all sound principles of policy."

I shall not trouble your Lordships by discussing the abstract question of giving out-door relief to the destitute; the subject has been fully investigated by the most competent authorities. I, therefore, shall limit myself to reading, with your Lordships' permission, a short extract from the report I hold in my hand, of the Commissioners who inquired into it in 1834—a report which has happily led to the adoption in this country of the policy of abandoning a principle previously found to be injurious in its operation :—

"We have dwelt at some length on out-door relief, because it is the relief which is now most extensively given, and because it appears to contain in itself the elements of an almost indefinite extension—of an extension, in short, which may ultimately absorb the whole fund out of which it arises. Among the elements of extension are the constantly diminishing reluctance to claim an apparent benefit, the receipt of which imposes no sacrifice, except a sensation of shame, quickly obliterated by habit, even if not prevented by example—the difficulty often amounting to impossibility on the part of those who administer and award relief of ascertaining whether any and what necessity for it exists; and the existence, in many cases, of positive motives on their parts to grant it where unnecessary, or themselves to create the necessity. The first and third of these sources of maladministration are common to the towns and to the country. The second, the difficulty of ascertaining the wants of the applicant, operates most strongly in large towns."

After quoting some evidence they proceed:—

"From the preceding evidence it will be seen how zealous must be the agency, and how intense the vigilance, to prevent fraudulent claims crowding in under such a system of relief. But it would require still greater vigilance to prevent the *bonâ fide* claimants degenerating into impostors: and it is an aphorism amongst the active parish officers, that cases which are good to-day are bad to-morrow, unless they are incessantly watched."

I consider it, my Lords, a very sufficient ground for asking your Lordships to reject this Bill, that it goes to introduce this objectionable principle into a permanent poor law for Ireland. As shortly as I can, I will now address myself to the consideration of what is likely to be the practical operation of the proposed enactments. If the principle of the Bill were good, the details would be comparatively unimportant; but the principle being condemned by the testimony of every authority worth consulting, the endeavour has manifestly been, and it is so admitted by the noble Marquess, to correct by the details of the measure the bad results to be apprehended from it. By the first clause in the Bill, workhouses are to be kept up as establishments that may be, but need not be, made use of, except for able-bodied paupers. The consequence of this will be that the able-bodied, in place of looking upon the workhouse as a place of refuge and succour in the day of want, will view it as a place of coercion, and add to the too great unpopularity that attaches to the system. Now, my Lords, as the option is given to the guardians of relieving all other destitute persons, if they so please, out of the workhouse, and as it is alike notorious that relief can be more cheaply so given in individual cases, and most certain that the destitute poor, in general clinging to those indolent and squalid habits which I regret to say characterize the uneducated poor in Ireland, will accept the mimimum of out-door relief in preference to subjecting themselves to the restraint of the workhouse, the consequence is obvious: these establishments will be for all, except the able-bodied, practically abandoned—a result indeed, that I, for one, should little regret if I believed that it would be for the advantage of the poor; but as by the testimony of the most competent witnesses, the discipline and regulations of the workhouses have been found to operate beneficially upon the health, morals, and habits of the inmates; and as they provide for the children of the destitute an education the best fitted to improve their condition, and to render them as they grow to mature years, useful members of the community, instead of becoming burdens for life upon the public—I see with regret the probability that under the operations of this clause, which thus permits out-door relief, the comparative cheapness of giving it, combined with the willingness of the poor to receive it, may

check that which has been found beneficial in the existing law, and the country be betrayed into the general adoption of a practice alike demoralising to the poor, and fraught with eventual ruin to property. If, however, it should happen, that using the discretion given them in the Act, some boards of guardians, more wisely avoiding the danger of out-door relief, should apply the workhouse to its legitimate purpose of an asylum and refuge to the destitute, where the aged, the widow, the orphan, and the able-bodied, may be cared for in the manner most suitable to their several cases; while in other unions the guardians, prejudiced against the workhouse system, or greedy of the popularity that may be earned by abusing it, or looking to the saving that may immediately be effected, though at the sacrifice of the ultimate interest of the ratepayer, by giving out-door instead of workhouse relief, there would be that want of uniformity that could not fail of interfering with the economical working of the law; the vagrant or unsettled portion of the population, that is to say, those who have not, by continuous residence, become legally chargeable to any electoral division, would be induced to migrate into those unions where out-door relief prevailed, and thus would be created the greater discontent among the paupers in those unions where the workhouse system was stringently enforced. Such a discretion, if even it could be beneficially exercised by boards of guardians, should be withheld until the country becomes better settled, and its resources sufficiently developed for the population to be allocated and proportioned in the different districts, according to the means of profitable employment that might be found to exist in them. Another objection against vesting this discretionary power in the boards of guardians, is the injury it will do to the charities that are now upheld by private benevolence. The existing poor law was, at its introduction, much objected to as likely to extinguish the charitable institutions which, in proportion to the means of the gentry and middle classes, are found in most parts of Ireland; some in connexion with the Established Church, others in connexion with the Church of Rome, and others supported by persons of all religious persuasions. This apprehension was not well founded, while legal relief was confined to the workhouse. The relief of the destitute in the workhouse was an act of justice; without is the legitimate field for the exercise of private charity—the workhouse, in fact, comes in aid of it, by enabling the benevolent, where there might be danger of imposition, to leave the applicant to the resources which the law provides. But it was the province of such institutions as the Indigent Roomkeepers' Society, and others of the like kind to be found in most large towns in Ireland, to administer to the necessities of those whose circumstances it would be harsh to drag before the public, yet to whom relief was necessary. The provisions of this Bill, the extending of the powers of the guardians to relieve in their own houses the aged, infirm, and helpless poor, as it will in some degree supersede the necessity of longer upholding such charitable institutions, so it will do away with the voluntary contributions of the charitable, by which they were solely supported, and thus will be broken one of the most valuable bonds that link the poor and the wealthy together; and the formal and stipendiary services of the relieving officer will supersede the active benevolence of the unpaid agent. This is a strong ground of objection to the Bill, and rendered the stronger by the clause which excludes persons from relief who happen to be in the occupation of more than a quarter of an acre; for to these the loss of private aid will not be compensated by the acquisition of any legal provision. I cannot, my Lords, approve of the clause; it will, I fear, aggravate instead of lessening the evils of out-door relief. At present, the workhouse, besides operating as a test of destitution, and thus aiding the guardians in their selection of fit objects to be relieved, limits their powers by the extent of the accommodation it affords. The framers of this Bill appear conscious that without this aid the guardians will be liable to be imposed upon, or may be inclined to extend relief too widely; hence the proposed limitation. It would be an intelligible principle, and one of easy application, to lay it down as a rule that no one should be considered destitute who was in possession of rateable property; that, therefore, holders of land should not be admissible to relief as destitute persons. The necessity of parting with the land that was found insufficient for the support of the occupier, would correct the evil of small holdings, for it is unquestionably true that many are in destitution from the insufficiency of the land they hold to supply them with food; but if relief is to be given to these upon the condition that in each case no more than a quarter of an acre of land be retained, instead of correcting the acknow-

ledged evil of minute subdivision, you hold out a direct encouragement for it. A man may hold three or four acres of land, and through misfortune or incapability fall into want; if you give him relief only on the condition of his alienating his land, he probably alienates it; but, if allowed, he will prefer subdividing it. There is injustice as well as impolicy in the proposed restriction. Why is the poorest occupier of the soil, the tenant labouring to improve an acre of bog, to be excluded from relief, when the occupier of a quarter of an acre of good land is not? The acre of bog may be of much less value, and the occupier's need more urgent; but before he can obtain relief he must go through the process of reducing his tenement to one-fourth of an acre, parting with the remainder, and thereby adding to the pauperism of the land before he can make application to the relieving officer. With such consequences to be apprehended, sound policy requires that the line should be otherwise drawn. Either the judgment of the guardians should be unfettered, which would be dangerous, or the possessors of land or other rateable property should be absolutely disqualified. To the principle of the second clause in the Bill, I do not object; the physical wants of the destitute, when the workhouse accommodation is insufficient, must be otherwise provided for; and, under circumstances such as the present, the Government should have the power of requiring, for limited periods, the dispensation of such relief in food; but I would submit that wherever such cases arise, the fact should be looked upon as established, that there is a redundancy of population, which, with aid from national resources, and under Government care, should be enabled to emigrate. The fifth section appears to be a consequence of the system of out-door relief. It will, of necessity, interfere with the medical charities, and might have been rendered wholly unnecessary, had these been, as recommended by your Lordships' Committee, placed upon a footing of proper efficiency apart from the poor law. The next portion of the Bill which I shall bring under your Lordships' notice is the 11th section, which will practically do away with the operation of the law of electoral division chargeability. This was a subject much inquired into by your Lordships' Committee of last Session; and the result of such inquiry was, to confirm the opinions of those who were in favour of it, and to alter the opinion of one noble Lord, by whom a general rate had been advocated. The Committee were unanimous in support of the principle of the existing law; and observe, that "should it hereafter appear desirable to amend this portion of the poor law, it should be with a view of maintaining a principle calculated to create a direct local interest in the management of the poor rate, and to encourage the profitable employment of the poor." The provisions of the clause in the Bill are, I think, open to much objection, and likely to produce confusion in the accounts of the union; that, however, is a matter of little importance compared with the power and encouragement it would give to the lessors of cabins in the suburbs of any town to accumulate pauperism in them, which shall be made chargeable to the union at large. The proposed mode of rating the tithe rent-charge, as a separate hereditament, is, I think, likely to prove a hardship to the owners of such property. Under present circumstances, the rate-collector goes to the occupiers of the land for the rate. Under the proposed enactment, a rate may be imposed of 20*s.* in the pound; and the clergyman, though his rent-charge is in arrear, is compelled to pay the rate. This is a matter that will, no doubt, receive the consideration of the right rev. bench; the more so, as from the zealous devotion of the Protestant clergymen of Ireland at the present time to the duty of affording relief to the famishing poor of Ireland, they are precluded from giving attention to their own interests as they may be affected by this Bill. The 19th Clause of the Bill, for increasing the number of *ex-officio* guardians, is one that I confess I am much surprised at, and expected, but in vain, to have heard from the noble Marquess some reasons for its introduction into the Bill that might be satisfactory, or likely, in some degree, to compensate for the unpopularity of the step. I beg to observe, that although the subject was examined into by the Select Committee last year, such an alteration of the law was not recommended, neither was it called for, that I know, by any part of the Irish public, or even by the magistrates themselves. It has not even the merit of assimilating the measure to the English law, for as if in anticipation of a conflict between the elected and the *ex-officio* guardians, and with a view to fair play, it is provided, that the magistrates must in no case exceed the number of the elected guardians. The

reasons given in support of this clause are various. Sir G. Grey is reported to have said in another place, in reply to Mr. J. O'Connell, that under the clause less opportunity would be found for the exhibition of religious intolerance. The only excuse for so unfounded and injurious a reflection upon the Irish magistracy, if the report that has gone before the public be true, is, that the right hon. Gentleman is utterly unacquainted with the country for which he is legislating. There are undoubtedly to be found in every country persons more or less prejudiced and intolerant; but I deny that such is the characteristic of the educated classes in Ireland. Party spirit has, indeed, been fostered and called into action by bad laws; but that persons appointed to the commission of peace can, with any truth, be said to act in the spirit which the Home Secretary supposes, I emphatically deny; and if he were right in his opinion of them, the magistrates are most unfit to sit as *ex-officio* members of the boards of guardians. But what is the testimony of the Relief Commissioners, six in number, only one of whom was an Irishman, respecting the disposition of the gentry of Ireland?—

"Nor could we always apportion the nomination between creeds and parties. We consider, however, and have found, as far as we can at present judge, that these distinctions have become far les essential than was formerly the case, and that there is a spirit of social feeling generally prevalent now amongst the people of this country, that (laying aside exclusive motives) leads them anxiously to co-operate with each other for mutual support and assistance, as members of one community, and independent of any partial considerations."

There is, therefore, upon the ground of avoiding the exhibition of religious intolerance, no necessity for the enactment. The other ground upon which this clause is elsewhere recommended, viz., that it will afford a more ample representation of property, is, I think, equally untenable. I am, I confess, surprised that the authors of the Reform Bill should have discovered that nomination by the Crown was preferable to election for the purposes of representation. So far from improving the working of the poor law, I think, this clause is calculated to interfere with the growing confidence of the public in the representative character of the boards of guardians, and with the beneficial influence upon the social condition of the people, which might be looked for from the stability of free institutions. There could have been no objection originally to the formation of the boards of guardians in Ireland upon the English model; but now to propose an augmentation of *ex-officio* members of those boards, as a better security for property, implies a reflection upon the elected guardians, who, if they have acted unfairly by the proprietors of land, are not likely to be improved in their feelings by such an alteration of the law as that now under consideration. I have now stated my principal objections to this Bill. They were to have been inferred from the report I had the honour of presenting from the Committee of Inquiry last Session. They were also partly stated in a series of resolutions to which my name, in common with those of several Members of both Houses of Parliament, was subscribed, which was presented to Lord John Russell at the commencement of the Session. I have heard nothing either in the reflections that have been made against the so-called Irish party, or in favour of the out-door relief system, against which the resolutions were mainly directed, to make me regret having thus announced my opinions. Had I been in London at the time, I should have been glad, as hereafter at any time I shall be, to discuss with Irish Members of Parliament, irrespective of party prepossessions, those measures which most immediately affect the interests of Ireland. I think that by so meeting differences of opinion, referable rather to separate political associations than to reason, would often be avoided, and that the result would generally be a well-understood union in favour of measures of real usefulness, instead of that division upon nearly every subject, which leaves it to be practically decided by those who may have neither knowledge nor interest in the question at issue. Such meetings and discussions among Irish Members would not be the introduction of a party into either House of Parliament—not the establishment of separate interests, as between English and Irish, but the communication, through the constitutional channel of the more immediate representatives of that portion of the United Kingdom, of that advice upon Irish questions which ought to have weight in their decision, and might reasonably be expected to produce good results. I regret that the meeting I have alluded to, exhibiting as it did all but unanimity of sentiment, did not produce more union of action in reference to the Bill upon the Table. I do not think the answer of Lord J. Russell to the de-

putation that presented the resolutions, afforded any justification for taking a step in legislation so condemned by reason and experience; nor is it quite fair, without notice of such a question, to say, what measure do you propose in lieu of what you object to? It rather argues that due attention has not been given to the subject, and that very little attention is considered necessary. The present poor law of Ireland was much condemned at its introduction, as the work of a man who, though experienced in poor-law matters, had made but a short tour of inquiry in Ireland. It is reasonable to ask, upon what inquiry has this Bill been founded, and by whom it has been framed? It is certainly not the production of the Poor Law Commissioner for Ireland, for it is directly at variance with his opinions given in evidence. I know not whether it is the production of the Chief Secretary for Ireland; but if it is, able and respected as he is, your Lordships will please to look upon it as the work of one who, like nearly all his predecessors in that office, went over to Ireland a total stranger to the country, and ere he could leave the precincts of Dublin, must have been called upon to propound a law, than which none could be proposed more vitally affecting the interests of all classes of the population. Whether Mr. Labouchere be the author of the Bill or not, one thing may at least be observed, viz., that whoever drew the Bill up is distinguished by the independence with which he has done so, regardless of all the inquiries, the facts, and dear-bought experience which might and ought to have guaranteed Ireland against the infliction of such rash legislation. Instead of any deference to such authorities, the Bill is characterized by a marked disregard of them. I think that the reports which have of late years been laid before the House might have supplied the materials of sound legislation; but by this Bill it is manifest that, for the purpose of relieving the mere physical wants of the poor, and keeping them at home, the improvement of the moral condition of the population has been wholly overlooked. I will not trouble your Lordships by entering minutely into what might be done for the amelioration of Irish pauperism; but one object it is most important to keep in view, which is, to distinguish between poverty and destitution. The Bill before your Lordships makes no such distinction. All who are without land, and some who are possessed of land, are qualified to be relieved under the same law; the labourer, the artisan—those who, humble though they be, form the largest and most important class in the community, are in no degree distinguished from the profligate and the mendicant; the same rule applies to the relief of all: sickness or misfortune, according to this Bill, place an industrious man and his family upon precisely the same level of common destitution and of claim to relief as the most loathsome objects whom it is still the duty of humanity to relieve. I have often urged upon public attention the importance of raising the condition of the working classes, and especially of the agricultural labourer. This, as a first step, can only be done by means of a sound system of national education, based, as in this country, upon the Word of God, and should be followed by other measures—by the encouragement of agricultural improvement, by the suppression of mendicancy, and by placing the medical charities of the country upon a proper footing of efficiency. Were the medical institutions supported, as they should be, apart from the poor law, there would then be afforded to the labouring man, when suffering from sickness or accident, that out-door relief in medicine and nourishment which he can receive without any feeling of degradation, and which would enable him, at the earliest period, to return to habits of active independence. Having taken up so much of your Lordships' time, I will only in conclusion beg of you to recollect that if there is a pressure upon you to enact a stringent poor law, it is not the fault of the Irish people, but of the Government and Parliament, that this has not been sooner done. In 1842, the present law may be said to have first come into general operation; its deficiencies were then first generally felt, and a meeting of gentlemen, headed by the Duke of Leinster, assembled prior to the Session of 1843, to pray for immediate inquiry, and the placing the law upon an effective footing: the Government did not accede to this application, but brought in a Bill amending the Act in some respects, but leaving it in most respects deficient. Repeated applications have since been made to Parliament to remedy these defects; but it was not till Liverpool and Glasgow began to feel the pressure of Irish destitution—it was not till they felt themselves aggrieved by the visitation of a starving multitude, suffering from a calamity ordered by the

will of the Almighty, which, by a like decree, may fall (though God forbid that it should!) upon this country in another year, and against which no human laws can afford a guarantee—it is not until these wealthy towns feel their interests touched, until their case is pleaded, that your Lordships are called upon and pressed seriously to take up the question of poor-law legislation for Ireland. It is certainly hard that these towns should feel, as they have done, so much pressure from the immigration of Irish poor; but if from their situation they are now necessitated to bear some portion of the burden of Irish pauperism, it should be recollected that to the same cause, viz., their vicinity to the shores of Ireland, they owe it that they have practically obtained the monopoly of the trade between the two countries, and become the emporiums of Irish as well as of English commerce with the rest of the world. Neither have they been altogether losers by the distresses of Ireland. The noble Earl opposite (the Earl of Wicklow) has this evening noticed the impulse given to the provision trade. I must add that, to the shipowners, at least, great must have been their gain by the increased emigration, and the increased prices they have lately charged for the passage—greatly aggravated have been the sufferings of many poor persons by what I must call the inhuman act of raising the passage-money, when the very existence of many families depended upon their realizing purposes of emigration to a foreign land, in preparation for which they had sacrificed every resource at home. Thus to take advantage of the necessities of the emigrant at such a time as the present, appears to me like locking the door of a house that is on fire, and preventing the inhabitants from escaping. My Lords, I would entreat of you to consider in the measure before you, not the interest of particular English towns, but that of the country to which it relates; and I venture to affirm that you will thus best consult for the interest of the empire. Thanking your Lordships for the attention with which you have heard me, I now beg to move that the second reading of this Bill be postponed to this day six months.

The EARL of ST. GERMANS considered that the only new principle embodied in the Bill before their Lordships was, that which enabled the Poor Law Commissioners, under particular emergencies, to empower the boards of guardians to afford out-door relief to the able-bodied pauper for certain periods. It had been argued, that such a measure as the present would increase the evils of Ireland by causing the degradation of the Irish peasantry; but, he would ask, was the position of the Irish pauper so satisfactory at present that he should dread the effect of such a change in his condition? If he (the Earl of St. Germans) thought that this measure would aggravate the evils of Ireland, he should be the last man to give it his support; but he anticipated no such result. He did not approve of indiscriminate out-door relief; he had witnessed the injurious effects of that system in this country; but it was unfair to argue from an abuse against a use. It was not at all probable that the Poor Law Commissioners would set aside the workhouse test, and direct out-door relief to be given indiscriminately. Reference had been made on a former evening to the very able report prepared by the Commission of Poor Inquiry of 1836, of which the most rev. Prelate opposite (the Archbishop of Dublin) was a member; and he remembered that a noble Lord (Lord Monteagle) had expressed his condemnation of this measure, because it was one which, it was said, had been thoroughly considered by that Commission, and pronounced to be inapplicable to Ireland. Now, he had looked through the report, and could find nothing to justify the interpretation which the noble Lord put upon it. If the report in question were worth anything as an authority, it rather made in favour of the Bill under consideration; at least, it was as good authority against the workhouse system as against a system of qualified out-door relief. After giving the subject the best consideration in his power, he had come to the conclusion that the measure would have a beneficial effect upon Ireland. It would tend materially to diminish the monstrous competition for land in Ireland, which was at the bottom of all the evils of that country. The poor people now felt they were without any resource whatsoever, and that the possession of a plot of ground was their sole protection from want and destitution; they consequently clung to the possession of the land with the most reckless tenacity; and he (the Earl of St. Germans) was under the impression that this measure would have the effect of inducing the owners and occupiers of land to find profitable occupation for the people. There was nothing novel in these views; for so long ago as

the year 1835, it was minutely inquired into by the Committee of which Mr. Lynch was chairman; and he (the Earl of St. Germans) begged to call the attention of their Lordships to the evidence of Mr. Griffith on the subject. It appeared that a great deal of waste land was now in process of reclamation: he was happy to think that a great deal of profitable employment would be afforded; and it was to be hoped that the people would be converted from miserable cottiers into prosperous and independent labourers. To bring about that happy result, must, of course, be the work of time. It was impossible to do it at once; and one of the main grounds on which he based his support of the present Bill was, that it was a measure calculated to provide against the miseries which, in all probability, would attend upon the transition state. The time had now come that the property of Ireland ought to be made applicable to the support of the destitution of Ireland. Was that the case at present? Let them now see what was the whole amount that was so applied. The amount of the poor rate for the year ending December, 1845, was 298,000*l.*; and for the year, up to 31st of December, 1846, 426,816*l.* That was the whole annual expense to which the property of Ireland was at present liable in respect of the poor law; and if he assumed the value of the property assessed to the relief of the poor in Ireland at 16,000.000*l.* — though he dare say the noble Lord opposite (Lord Monteagle) would hardly concede that point—he would scarcely allow that the actual value of the property rated for the poor in Ireland was so much; but if the noble Lord referred to the report of the Poor Law Commissioners in 1843, he would find the whole value of the property rated for the relief of the poor to be 13,200,000*l.* and odd pounds. That, as he (Earl St. Germans) believed, was assumed to be 20 per cent below the real value; but he would take it to be 13,200,000*l.* Suppose the total amount of rate to be 426,000*l.*, and the value of the property assessed to be 13,200,000*l.*, that would give about 7½*d.* in the pound as the charge to which property was liable in Ireland for the relief of the poor; and if the estimate of the supposed real value of the property were taken, the assessment would be reduced to 6¼*d.* in the pound. It might be said, that large sums were raised by voluntary subscription for the medical relief of the poor. He wished to state the case as favourably as he possibly could, and he would therefore mention the sums paid for the support of infirmaries, dispensaries, and fever hospitals. In 1839 (the last year for which there were any returns on the subject), the assessment for infirmaries in Ireland was 25,252*l.*, and the private subscriptions were 4,305*l.*, making together 29,557*l.*; for dispensaries the assessment was 34,000*l.*, and the private subscriptions 34,000*l.*; for fever hospitals the Parliamentary grant was 22,000*l.*, and the subscriptions 7,000*l.* These sums made a total of 126,000 and some odd hundreds of pounds; and adding that latter sum to the amount raised for the direct relief of the poor, and supposing that the property of Ireland was not under-estimated at 13,000,000*l.*, it would appear that the extent to which the landowners and land occupiers in Ireland were burdened on account of the poor was only 9½*d.* in the pound. There was a wide margin between that and confiscation. As to the working of the present measure, he had come to the conclusion that there was no disposition to extravagance on the part of boards of guardians; he rather thought they were inclined to be parsimonious and sparing in doling out relief to the poor; and he did not think there was any danger to be apprehended from the exercise of too much liberality on the part of those bodies; but, supposing that they were inclined to be extravagant, they could be controlled and restricted by the central authority, the Poor Law Commissioners; but he thought they would not allow any extravagant expenditure of the funds committed to their care. It should be recollected, that a portion of the charge must come out of their own pockets, and if they indulged in extravagance, it would be partly at their own expense. He would now look how the measure was likely to work practically. He believed the workhouse test was absolutely necessary for the efficient working of the poor-law system; and he could never bring himself to believe that it would be set aside by the Poor Law Commissioners. With regard to the clause having reference to the election of *ex-officio* guardians, what he was about to say was this—that the election of *ex-officio* guardians should, if possible, be avoided. For his own part he should not object individually to the introduction of all magistrates into the boards of guardians as in England; but there was a difference between the circumstances of England and Ireland in this respect; the

unions in Ireland were of much larger size; and there was a much larger number of justices resident in those unions. He happened to have a return, from which it appeared, that in nine unions the number of *ex-officio* guardians would exceed—if all justices were to be made *ex-officio* guardians—the number of elected guardians. He did not think there would be any harm in that. He thought they would use their influence very properly; but, as the noble Marquess had said in the course of his speech, they must consider the feelings and prejudices of the people, and they should not close their ears against the expression of the general feeling of the great body of the people. His noble Friend had said, there was a strong feeling on the subject; and he would suggest to the noble Marquess that it might be better to provide that all justices should be *ex-officio* members of the board of guardians, provided that in those particular cases where the number of the *ex-officio* guardians should exceed the number of the elected guardians, then that the Poor Law Commissioners should take measures to increase the number of elected guardians. He should next refer to the 9th Clause of the Bill, which enacted, that occupiers of more than a quarter of an acre of land should not be deemed to he destitute. The effect of that clause would be, to put the people in a worse position than they were in at present. Under the existing law, if a man in the occupation of land met with an accident, or was out of employment, the guardians might give him relief; but under the clause now proposed, however great might be his necessities, if he was in occupation of more than a quarter of an acre of land, it would be quite incompetent for them to grant him relief. It was perfectly true, that in England the board of guardians had a right to call on any person having property and applying for relief, to give up that property; but that right was not enforced in all cases; and he (Earl St. Germans) would be inclined to leave the matter in Ireland as in England to the discretion of the board of guardians. He hardly thought they would give a man relief if they conceived he could pay his way; and he called their Lordships' attention to this clause for the purpose of expressing his conviction that the clause should be omitted; that it should be left to the discretion of the board of guardians to grant or withhold relief, under the circumstances, as they thought proper. He begged to express his earnest hope that their Lordships would not agree to an Amendment to which it was perhaps somewhat irregular then to advert; but which he believed it was intended to propose in Committee, on the subject of the payment of the rate, because he believed that the success of that Amendment would be entirely fatal to the operation of the Bill. He was quite aware it might be said, that all the rates and burdens came out of the land eventually; but the Irish small farmer did not understand this. The fact was, that the cases of England and Ireland were in this respect, as in many others, very different. In England there was not the same competition for land as in Ireland. In this country, if a tenant found he could not pay the taxes and rent, and leave a reasonable profit for himself, he would look for a farm in a different part of the country; but in Ireland land was a necessary of life. A man must have land or starve. Such was the disposition of the people of Ireland to acquire land that they would promise any rent. He did not mean to say that the Irish landlords charged exorbitant rents; but unquestionably the land was generally let according to the system known by the name of "cant," a sort of auction, by which they took the chance of getting as much rent as possible. He (Lord St. Germans) was of opinion, that the practical effect of such an Amendment as he understood was to be proposed, would be to throw the burden of the rate not merely nominally, but really on the tenant—at all events the tenant would think so, and the result would be an utter impossibility of collecting the rate; and, therefore, such an Amendment as the one to which he referred ought not to be inserted in the Bill. He would not trespass further on their Lordships' attention; but would conclude with expressing a hope that they would agree to the present measure, taking it as the noble Marquess had introduced it—as ancillary to other measures which had been introduced by Her Majesty's Government, and which it was their intention to introduce for the better cultivation of the Irish soil, and the general improvement of the country. If, however, their Lordships were irreconcilably hostile to the measure, it would, in his opinion, be very much better that they should reject it at once openly and manfully, because of the principle it contained, than that they should emasculate it by adopting amendments which would destroy its effects.

Lord MONTEAGLE said, he always listened to his noble Friend (the Earl of St. Germans) with great pleasure. He uniformly spoke with great clearness and effect; but he (Lord Monteagle) had never heard him with so much surprise as on the present occasion. His noble Friend, after having a full opportunity of looking into the various authorities on this question, had come down to that House, and sought to controvert the authorities which he (Lord Monteagle) on a former occasion relied on as unfavourable to the out-door system, by quoting a passage from the report of the Commission of which the most rev. Prelate on the right of the Chancellor was a member, and which was generally known as the Archbishop of Dublin's Report. If ever there was a document to which the opponents of the out-door system might confidently appeal as entirely substantiating their position, and entirely disproving the necessity and desirability of that system, the report in question was that document.

The Earl of ST. GERMANS would save his noble Friend the expenditure of much unnecessary energy, and their Lordships the waste of some time by a single word in explanation. What he had said, or at least what he had intended to convey, was simply this, that the report of the Commission with which the Archbishop of Dublin was connected, made as strongly against the workhouse system as against the out-door system. This being so, he had expressed it as his opinion that it was scarcely fair for the noble Lord to rely for the substantiation of his position on that report; he could not admit its authority in the one case, and reject it in the other.

Lord MONTEAGLE had still to express his surprise that the noble Earl should have cited passages from the report in question for the purpose of showing that a principle of out-door relief was inculcated in that document, whereas the very reverse was the fact. If a decisive and unqualified denunciation of the out-door system was to be looked for anywhere on earth, he should say that it ought to be sought in the pages of that report. But the noble Earl, though he had endeavoured to deal with several of the authorities which he (Lord Monteagle) had adduced on a former occasion, had totally omitted to allude to one authority—the last of all in point of date, and perhaps the most remarkable of all—namely, the report of their Lordships last year on the question of out-door relief—a report in which it was expressly stated that their Lordships' opinions on the question were in entire consonance and conformity with the evidence and authorities which were relied on by the opponents of that system. The noble Earl was himself a member of the Commission from whom that report emanated, and a party to the declaration against out-door relief. Now, he would wish to ask the noble Lord one question, which was this—whether he thought that the report in question was fairly susceptible of any other interpretation than that which he (Lord Monteagle) put upon it.

The Earl of ST. GERMANS, having been so directly challenged, would say a few words in reply and in explanation. The passages in the report alluded to, were undoubtedly to be found there; but they were the production of the noble Lord himself (Lord Monteagle), and the report was drawn up at the close of a long, wearisome, and laborious Session, in the presence of but few Irish Peers, and of no English Peer but himself. He might dilate on the inconvenience and almost the impracticability of offering an opposition at such a period and under such circumstances; but on this he would not dwell. He would content himself with observing, that the unexampled emergency and pressure which made the present measure necessary, had no existence at that time; and he accordingly had not felt himself called upon to moot a question of such gravity and importance, on his own single authority, by then bringing forward a counter-resolution declaratory of the necessity of out-door relief. It was his noble Friend who had engrafted that opinion on the report; and he (the Earl of St. Germans) therefore left it to their Lordships to say whether there was any greater weight to be attached to that passage in the report, than to a speech of his noble Friend in that House.

Lord MONTEAGLE thought that his position was now made still stronger than before, for he had now the admission that the noble Lord, who had claimed the distinction of standing alone as the representative of all England in the Committee, in that authoritative character had not hesitated to give his sanction to a report condemnatory of out-door relief, which report had been agreed to on full deliberation. Most assuredly the report had not taken any of their Lordships by surprise; on the contrary, it had been printed and reprinted and circulated before adoption; nor had he until that night

heard from the noble Lord a single word symptomatic of doubt or distrust as to the opinion to which he had made himself voluntarily a party. The noble Lord pleaded, in justification of the present measure, and in defence of his change of opinion, his support of the fact that the pressure and emergency with which the country was most unhappily afflicted, had no existence when the report was adopted. No doubt it was so; but that constituted one of his (Lord Monteagle's) main objections to the Bill: he protested against their Lordships legislating permanently in a special emergency. If they were justifiable in taking this course, the noble Earl (Earl St. Germans') justification would be quite admissible. But he denied that under the pressure of a temporary emergency it was competent or discreet for them to decide on the case of Ireland, or to adopt a permanent system of legislation on the most difficult of all questions, the support of pauperism. He had given his cordial assent to the Temporary Relief Bill, because, as its name implied, it was designed to meet a temporary evil; but if they were about to make their permanent legislation dependent, not on those principles to which both science and experience taught them to look for the security and well-being of society, but on impulses derived from an emergency the greatest and strangest that had ever existed in the history of the civilized world, and from a social state disorganized and anomalous—if they were to frame their legislation in reference to such an emergency, and overrule the resolution they had adopted when there was a greater calmness and absence of excitement than at present —they would run the hazard of passing very bad laws. If there was an insurrection in the land which endangered the public peace, and rendered the suspension of the Habeas Corpus, and the enactment of other measures of repression or punishment necessary, would that, he asked, be a proper period in which to devise laws to affect permanently the liberty of the subject? He willingly admitted the ability of the speech made by the noble Marquess who introduced the Bill; but it was worthy of remark, that all his arguments in defence of the measure were founded on the present emergency; not one argument was adduced to defend the measure as proposed. The argument of his noble Friend the President of the Council seemed throughout to admit that it could not be rational that legislation devised for the purpose of meeting a temporary emergency ought to be of a permanent character. He would not now anticipate the discussion in Committee; but he thought it as well to notify to their Lordships, that, in conformity with this principle, it was his intention to propose in Committee to limit the duration of the present measure. He would endeavour to convince the House that such a course was just and expedient; and he would take the sense of their Lordships on it. For the present it was scarcely necessary that he should do more than call their Lordships' attention to this fact, that although in a previous debate he had shown that the whole current of authorities, from the time of the Union to the present hour, were on his side of the question, neither at that time nor on the present occasion had even a shadow of an authority been adduced against him. It should also be remembered that the Legislature was at this moment in a very peculiar position. Rumour assigned but a brief duration to the present Parliament. With that, however, it might be said, perhaps, that the House of Lords had nothing to do: his motive for alluding to it was for the purpose of declaring his unqualified conviction, that if they were at the beginning of the Session, and had months before them, he could adduce in favour of his position an authority even more conclusive than all the reports and evidence he had hitherto pressed into his service. He could have appealed in that case to the conclusive authority of experience. Parliament had passed a Bill for the temporary relief of the people of Ireland, which to a certain degree contained the same principle of danger which was unhappily to be found in the present measure. To the temporary measure, neither he nor those who felt with him had offered any objection; they had been ready to run any risk; they had been ready to make any sacrifice; and to place at the disposal of the public under that measure the property which they held, admitting that their property was held by them not merely as proprietors, but, as trustees for the public good. That Act, passed as it was to meet a temporary emergency, would soon furnish experience of the working of the system of out-door relief. It would have afforded him unaffected pleasure, and would have relieved his mind from great uncertainty, if it had been possible for the noble Marquess to have declared that from the good working of the temporary measure, the Government were confidently assured that the operation

of the permanent measure now under discussion would be found to be salutary and beneficial. On this subject, however, his noble Friend had been ominously silent; and as no documentary evidence was furnished, any effectual reference to experience was, at present, out of the question. They could only refer to the opinions of those who were the best possible authorities on such subjects, and their opinions would be found to be uniformly adverse to the out-door system. Neither was English experience a very safe guide—at least, without much caution. The condition and circumstances of both countries were so essentially different, that it would be most irrational to assume that it was always wise to apply the same measure of legislation to both. Of 130 unions in Ireland, 19 varied in extent from 250,000 to 500,000 square acres, and 111 unions only were below the lowest of those numbers; whereas in England there were only two unions out of 600 which exceeded in extent 250,000 acres, while 582 were below that average. How, then, could they believe that the workhouse test would work equally in the two countries, where not only the state of society, but the order of things, were so essentially dissimilar? Without an immense addition to the number of workhouses in Ireland, it would become imperative to give out-door relief almost universally, if any relief at all were given. Under these circumstances, even if Parliament were introducing the proposed system of poor-law administration for the first time, without any disturbing causes arising out of the widely-spread distress, and the still more widely-spread relief works, they would have great difficulties to surmount; and he asked those who were most conversant with the operation of the English poor law, how it would be possible, even in England, with the advanced state of society in this country, that with such difficulties they could expect such a measure to succeed? How could the poor laws be administered in the workhouse ten, twenty, thirty, and forty miles from parts of the union? How could guardians fulfil their duties? In England, there were 600 workhouses, for a population of 16,000,000. In Ireland, for a population of 8,000,000, the workhouses were but 130. But there were other difficulties which would arise. The noble Marquess assumed that the manner in which the law under this Bill would be administered, would be the "wisest, discreetest, best"—that few would ask for relief who had not a title to receive it—and that all who had such title would be rejected. He (Lord Monteagle) very much doubted this. Destitution would, no doubt, too often arise; but the excuse of destitution would never be wanting. As for the relieving officer, he believed it would be found that that personage would be wholly unable to do justice to the intentions of the Legislature. Let them look to the distance between the workhouses, and to the immense size of the unions, and to the fact that it was only proposed to appoint one single relieving officer in a union, and they would see reason to think that it would be impossible that the caution necessary for the administration of relief could be exercised. How could one solitary relieving officer, stationed in a remote part of Ireland, and subject to the popular influences by which he would be surrounded, be safely entrusted with powers such as this measure proposed to confer upon him? Could he exercise them freely? Could he administer them with personal safety? Did they think that any insurance office could be found to insure his life for a week, if he performed his duty? If there were no other objection, the vesting in a single officer these extraordinary powers, would render the Bill totally impracticable, and highly dangerous to the peace or the property of Ireland. He felt, too, that there would be the greatest difficulty in the selection of these very responsible officers under any arrangement that might be made; but it would be better to have them selected by an impartial Government than by the guardians of the unions. Then with respect to the workhouse accommodation. They had workhouse accommodation in Ireland at the present moment for 110,000 persons; but there were at present 120,000, or rather more, obtaining relief in those workhouses. How, then, were they to bring the workhouse test into operation? It was said some of the present inmates must be removed. How was this to be effected? Of these 110,000, upwards of 50,000 were children. Could these children be removed? That could not be done without depriving them of the education they were receiving there; and, generally speaking, the workhouse education in Ireland was going on remarkably well. Again, it was said that the Board of Works was giving employment on a great scale, 500,000 or 600,000 being engaged on the roads and drainages; but there was a period beyond which that

employment could not be given; and when that period of the reduction of labourers arrived, they would have a flood of paupers to be relieved in the workhouses. The workhouses would be choked up, the workhouse test would cease, out-door relief without any test at all would be the alternative, and ruin to property and the degradation of the people the inevitable result. Therefore, he considered that the workhouse test in this Bill was a mere fallacy. His noble Friend had informed the House that this Bill was to be accompanied by a measure for the suppression of vagrancy. That would be found a very difficult subject. He rejoiced, however, that the Government had considered it; but he took the liberty of stating to the Government, that they would find it difficult, if not impossible, to root out mendicancy from the rural districts of Ireland; they could not root out of the Irish heart that which was cherished, not only as a natural sympathy, but as a part of their religion, namely, that the administration of alms to the destitute was a moral and religious duty. But it might, perhaps, be said, that the people would be satisfied in this respect with paying their poor-rates; and that if they paid their rates they would think that was satisfying this duty. But this argument, too, was inapplicable; for it must be borne in mind that the great mass of occupiers of land in Ireland were exempt from all payment of rates, and therefore they could not set off rates to which they did not contribute, to excuse the non-compliance with an obligation which they felt it to be a duty to perform. Very few persons were aware of the amount of charity that was displayed in Ireland. He believed that very large amounts were collected for charitable purposes in the towns of that country; and, speaking of Dublin, which he mentioned the more readily because he was totally unconnected with it, he believed their Lordships would find that there was far more collected there, in proportion to its size and its wealth, for charitable purposes in connexion with religious duties and with education, than in any other city of the empire. If their Lordships were to be led away by the statement of his noble Friend (Earl St. Germans), they would have a most erroneous as well as a most miserable idea of the charities in Ireland.

The Earl of ST. GERMANS spoke only of the legal burdens of the land.

Lord MONTEAGLE: But what were the legal burdens? They were then speaking of what was done for the relief of distress in Ireland; and if it were found that that consisted of voluntary relief in the shape of charity, it was entitled to be considered a charge and burden on the land. Were their charities to be the less considered because they were spontaneous, and not the result of coercive laws? With regard to what had been called the confiscation of Irish property, although he contended that this Bill would very seriously affect the interests of property in that country, yet he was willing to treat that question as a secondary argument, provided it could be shown that this measure was a safe and judicious mode of administering permanent relief in Ireland. If the Bill would tend to improve the moral and physical condition of the people—if it would open up new sources of industry—then he would admit that the money charge on land was the least part of the question. However, this much he must observe, in passing, that the argument respecting confiscation, though he would treat it as secondary and subordinate, was by no means undeserving of serious consideration. The noble Lord had talked glibly upon that subject; he had anticipated as a benefit a large change of property, and the passing of estates into new hands. But he (Lord Monteagle) would respectfully warn their Lordships, that this was not always an easy or a safe process. They could not abruptly tear asunder all the connexions that had existed for a long series of years in an old country, and attempt to rejoin them by artificial means, without running some hazard to the safety of the framework of society itself. The noble Marquess who opened the present debate, had expressed a hope that this measure would be the means of substituting the plough for the spade in the cultivation of the land in Ireland. But what would be the effect of such a change? It might increase the gross amount of the produce; but it would not increase the demand for agricultural labour. It might benefit the landlords; but there never was a greater fallacy than to contend that an improved system of agriculture would give the tenant-farmers greater power to employ labourers. More than double the number of agricultural labourers were employed in Ireland than in England; yet it was well known that agriculture—improved agriculture—would lessen, not augment, the demand for labour. This Bill would not increase that demand. It was against all

facts and experience to entertain such an expectation. He had already addressed their Lordships on the injustice of the proposition for extending the area of taxation from the electoral district to the union, when the rate in any town district should amount to 2*s.* 6*d.* This was intended to operate as a benefit to the towns by preventing paupers from crowding into them from the surrounding agricultural districts; but the effect, in his opinion, would be the very reverse. It would operate as a bounty on settling in towns. The proposal in this Bill was, that when the rate in the towns exceeded 2*s.* 6*d.*, the excess should be levied generally upon the union. He would briefly show the danger with which the plan was pregnant; for his belief was, that it would, on the contrary, whilst it injured the rural districts, have a tendency to cause a large influx of pauperism into the towns. There was no person who had travelled through the towns of Ireland, who had not been struck with the long lines of cabins and hovels that were erected in their immediate vicinity. Now, if the owners of these cabins and hovels could make their poor tenants the recipients of out-door relief, out of which they might be able to pay their rent, was it not obvious that a facility would be afforded to those landlords who had a larger interest in receiving rents to their interest in keeping down the amount of the rates? A capitalist might expend 1,000*l.* in the purchase of a piece of land near a town; he might build upon it; his tenants might become recipients of the poor rates; which, according to this Bill, would fall not exclusively upon the town, but upon persons living twenty and thirty miles from the town, so soon as it happened that the rate amounted to more than 2*s.* 6*d.*, because the excess of the rate would then fall upon the union at large. There would have been more reason to have enacted that the rate in the first instance should fall upon the union at large; but that, if there were an excess of pauperism in any particular part of the union, the burden of that excess should fall upon that particular locality. This would afford a motive for economy. It was said that this Bill would have the effect of preventing the immigration of Irish paupers into England. There was, in his mind, no delusion greater than that of attributing any such effect to the measure. Yet he could trace the origin of the Act, by much of the support it received, to this most fallacious expectation. He did not attribute this selfishness to the House he was addressing. He would not attribute to their Lordships a disposition to do wrong to Ireland, in order to gain a possible good for themselves. Their nature would revolt at it; but undoubtedly there were some persons who were not guided by so high and generous a feeling as that which he presumed actuated their Lordships; and he certainly believed, from what he had read and heard, that not a desire to relieve Irish poverty, but the desire to check Irish immigration into England, was one of the chief motives with many for supporting out-door relief. That was not very generous, but it was likewise most unwise and illogical. Out-door relief could not have the effect of checking immigration into England, unless it raised the rate of wages in Ireland; but all experience had proved that the effect of out-door relief was to lower the rate of wages; if so, then the effect of a rate levied for out-door relief, instead of checking immigration, would be to increase it in the proportion that the rate of wages was lowered by its operation. For this statement he had ample authority. He had the authority of the experience of England. Where were wages lowest? In the southern, and some of the eastern counties. Where was the out-door relief of the able-bodied carried to the greatest excess? In those very districts. Where were wages highest? In the north, where no such abuse prevailed. In addition to this, he had the testimony of practical and enlightened men, as he would show to their Lordships by reading a passage from the evidence given in 1830, before a Committee of the House of Commons upon this subject. The noble Lord here read the following extract:—

"J. Musgrave, Esq., gave evidence—'Under a compulsory system of relief the immigration of Irish paupers into England would be increased, because many labourers who are now induced to remain at home in order to support their relatives, would be inclined to come over to England, where there is so great a difference of wages: as long as the difference of wages exists, there will be great inducement to labourers to come over.'

"The right hon. A. Blake said—'I have no doubt that a system of compulsory relief will augment the number of Irish labourers who come over to England. If the Irish found that their poorer relations who depended on them for support were sure of being provided for without their aid, they would feel less difficulty in seeking, as the phrase is, their fortune in England.'

"The late Mr. Eusor testified that—'A provision for families would be a husband to that

family whilst the labourer was abroad, and therefore he would soon be liberated to pass abroad.'

"General Bourke said—'If a system of assessment for the poor had the effect of lowering wages, as I conceive it would, the motive to immigration would be still stronger than at present, by making the difference of wages still more to the disadvantage of Ireland.'

"Mr. J. R. M'Culloch was asked—'How do you think the introduction of poor laws into Ireland would act on the immigration of the Irish poor into England?' And his answer was, 'I should think it would rather increase the importation of them into England.'"

If, then, any reliance was to be placed upon either general principles or upon authority, it was perfectly clear that whatever might be the other effects to be produced by this Bill, it was absurd to suppose that it would prevent the immigration of the Irish poor into England. He belonged to a much-reviled class, the landlords of Ireland; but he might say truly that the Legislature of Great Britain and of Ireland, and indeed the Legislature of the United Kingdom, were as much obnoxious to reproach as the landlords of Ireland. He was unwilling, however, to open that chapter, and to describe the vicious and selfish legislation of past times. It was not the burdens they were called upon to bear of which the landlords of Ireland complained; he, for one, and most of those he was acquainted with, not only thought they ought to bear burdens for the benefit of others, but were ready and willing to bear them. His objection to this poor law was not directed or limited to the amount of burden this impolitic Bill would cast upon the landlords of Ireland, but to the still more impolitic and mischievous appropriation of the fund which it was intended to levy upon Irish property. Nobody objected to a tax for the relief of the poor, who were impotent and unable to support themselves, and who had not persons bound to support them. No one objected to the most lavish expenditure for the support of medical charities. No one objected to contribute to the maintenance of lunatic asylums. Above all, he thought that a tax for the education of the people might be considered a fair burden upon the land. Their Lordships had been told by Her Majesty's Government that it was intended to educate the people in their proper pursuit, that of agriculture. If Parliament had thought of this before, their Lordships would not have seen what had taken place in Ireland, where the schemes of landlords for the improvement of their estates had been entirely frustrated by the ignorance of their tenants. But the Government ought to have gone further than they had done by this Bill, and have devised a system of emigration. Without the aid of a large and well-considered system of emigration, it was vain to hope to deal with the calamities of Ireland. He would bring this proposition distinctly before Parliament at a future time; but, in the meanwhile, he gave notice of his intention, in Committee, to urge two propositions, of which he had given notice: one for the omission of the clauses of the Bill which introduced the principle of giving out-door relief to the able-bodied; the other, which had been practically supported by the arguments of the noble Marquess—a clause limiting the direction of a Bill which was admitted by its Mover to be founded, not on permanent, but upon temporary and partial causes.

The EARL of ST. GERMANS wished to correct a misrepresentation which had been made of his statements; he was speaking simply in reference to the apprehended effect of this measure upon the value of landed property in Ireland. The actual amount of legal charge upon that land at the present moment he had showed to be only $7\frac{1}{2}d.$ in the pound.

The MARQUESS of CLANRICARDE hoped that his noble Friend (Lord Monteagle) would not expect him on that occasion to enter upon the subject of emigration or medical charities. He was glad to hear him speak so strongly in favour of improving the system of agriculture in Ireland, and supplying the farmers of that country with better agricultural instruction; but he had heard him with the utmost astonishment in an earlier part of his speech say that the introduction of an improved system of agriculture, instead of enabling the farmer to employ more men, would actually give employment to fewer. Why, did not every one know that, wherever they increased the resources and wealth of the country, they necessarily caused an increase in the means of employment of the people? They were compelled, under such circumstances, to give increased employment to the people, not only by direct but by indirect means also. The great argument of his noble Friend against out-door relief was made on a comparison with the state of things in England; but had he compared this Bill at the same time with the poor law that existed in this country, the comparison would have been much

fairer. The noble Lord had frequently, in the course of his speech, laid much stress upon the question of the unions to be created under the Bill, and the extent of poor whom they would have to relieve; but he appeared to forget that by the 20th clause, it was provided that, wherever it was found necessary, the unions might be altered, so as to meet the exigencies of the case. However, such questions were more fit to be discussed when the Bill had reached Committee. The noble Earl (the Earl of Clancarty) opposed the Bill because it would impose a national tax upon Ireland; and yet in a very few minutes afterwards he said that he should have no objection to see a national rate imposed upon Ireland in cases of emergency; that where in particular parts of Ireland the amount of pauperism became excessive, it was but fair that from the general funds of the State there should be supplied the necessary sum to relieve that distress. His noble Friend had, in his opposition to this measure, relied very much on the report which had been recently issued by the Commissioners appointed to inquire into the state of Ireland. Now, he (theMarquess of Clanricarde) entirely agreed with the recommendations in that report; and he was glad to know that they had the support of the right rev. Prelate who then sat upon the woolsack (the Archbishop of Dublin) in proposing this measure. In the twenty-fifth page of the report which had been so often alluded to, there was a paragraph which ended by recommending that out-door relief should be given to the aged and infirm, to helpless widows, to young children and females, and also to casual destitution. And what did they propose by this Bill? Out-door relief to the destitute and infirm. His noble Friend, in alluding to the principle of out-door relief, had spoken as if out-door relief to all persons was to be given under this Bill; whereas it was only under certain circumstances that the Poor Law Commissioners would allow the guardians to afford relief for a certain time to distressed applicants. His noble Friend had said that the destitute condition of Ireland could not continue—that it would increase in misery; then if that were so, he would ask their Lordships whether it was not of the utmost importance that the effort proposed by this Bill should at once be made to renovate the condition of Ireland? Had not they better risk this measure, dangerous as it was described to be by his noble Friend, rather than let Ireland remain in her present deplorable condition. His noble Friend had also said that the evils under which Ireland laboured were only the effect of a passing emergency, and that the Bill was founded upon such emergency; but he (the Marquess of Clanricarde) contended that the effects of that emergency would be lasting—and it was therefore absolutely necessary that their Lordships should adopt strong measures to relieve the effects of the calamity that had fallen upon Ireland. But he would remind their Lordships that it was the intention of the Government to have proposed a measure similar to this long before that calamity had happened. Why did Sir Robert Peel send forth the commission of which his noble Friend near him (the Earl of Devon) was at the head? It was because it was felt that Ireland laboured under evils which it was absolutely necessary to remove without delay; and he felt confident that if this measure had been carried into effect years ago, she would now have been in a much superior condition. If they intended to legislate properly for Ireland, they must look to the effects which the emergency which his noble Friend had spoken of had brought upon Ireland, which would undoubtedly be of a permanent character. They had heard much of the petitions which his noble and learned Friend (Lord Brougham) frequently presented from persons in Liverpool, and other towns in Lancashire, about the immigration of Irish poor into that county. He, for one, was not surprised at those complaints. He must acknowledge the pressure caused upon particular localities by such immigration; but at the same time he must say that those complaints were a little too loud, and that there was something of injustice in them. When they talked of the pressure upon particular localities in England, caused by the recent calamity in Ireland, they should recollect that at the time of prosperity Irish labour was of the greatest benefit to England. Those great towns which had recently arisen on the shores of the Mersey, and the great works which had been accomplished throughout Lancashire, and even in this very metropolis, were indebted to the supply of cheap labour from Ireland, which formed a sort of nursery for English capital, and by which it was enabled to fructify so rapidly. Whether the works were under ground, in mines, or above the ground, the great supply of labour came from Ireland. In agriculture, also, the same observation applied with

equal truth. He would ask their Lordships whether it was wiser that the poor of Ireland should be left to depend upon the voluntary contributions of the humane, or that proper legal regulations should be sanctioned which would compel all the proprietors of land in that country to contribute their fair share to the support of the poor? Was it not well that they should endeavour by such a measure as this to get the state of Ireland into a better order? Whether they passed or rejected this poor law for Ireland, it was absolutely necessary for the welfare, for the very existence, of that country, that some amendment should take place in her condition. He did not agree with the most rev. Prelate (the Archbishop of Dublin), whose speech on a former occasion he had a right to refer to, because he had since given it to the world in the shape of a pamphlet—a speech which, it appeared, had made a sensation in Ireland and elsewhere which, in his (the Marquess of Clanricarde's) opinion it ought not to have made. He did not agree with him that the Irish labourer was so desperately improvident, or altogether so perverse, as he represented him to be. Looking at what the Irish labourer did out of Ireland, and looking to what he did in Ireland, according to the reports of the best civil engineers, and the persons who employed labour to the greatest extent in that country, with the best economy, he contended that the Irish labourer was found to be actuated, like every other man, by the soundest principles of economy as regarded himself, and that he was willing to work, and to work well too, when he was well paid. The most rev. Prelate had said that the effect of a poor law for the peasantry of Ireland would be to reduce them to a state of slavery; and he had said that in order to employ as many as he could, he did not give the highest wages to the best men.

The ARCHBISHOP of DUBLIN: I beg the noble Lord's pardon; I did not say so.

The MARQUESS of CLANRICARDE: You say you prefer giving employment to a greater number at less wages with moral training.

The ARCHBISHOP of DUBLIN: Allow me to say I give them as good wages as they usually could expect to earn.

The MARQUESS of CLANRICARDE: If, in order to employ a greater number of persons, the right rev. Prelate lowered the wages, then he did that very thing which was considered the evil of the poor law. It was undoubtedly an evil that, in Ireland, the people were employed, not because their employment was wanted; and, therefore, he must say that, considering the matter soundly and economically, such employment was not profitable. They were employed for the purpose of giving them relief; and that was in itself a species of labour-rate which had an injurious tendency. The price of labour was not regulated by the work to be done, but by the number of persons who wanted employment. It was said that there was danger of an out-door relief becoming the rule and not the exception, and that the tenant-farmers would be unable or indisposed to do their duty, and that in point of fact the poor law would not be carried out. Now, he was ready to admit that the laws of the land did not consist of parchment only, but that when they talked of law they meant the laws and usages of society; and there was no doubt that in Ireland much required to be done in the way of effecting a change in the habits and usages of the community. If, however, the necessity of carrying out the principle now introduced was not acted upon—if the farmers did not see their own interest clearly in the matter—if they did not act as they ought to do—they, above all men, would be ruined, partly by the operation of this law, but chiefly by the state of things to which that country would be brought. If, again, landlords would not countenance the efforts which were made in endeavouring to teach the people how this law should be administered, they would clearly fail in their duty. He would say, that the whole working of this Bill depended on the people of Ireland themselves; and if they did not do their duty, and consent to be guided by those who were able and willing to teach them, how was it possible to administer this, or, indeed, any other law under such circumstances? He would not believe, however, that such could be the case; he was convinced that the people of Ireland were pretty well alive to the duty which they had to discharge, and were prepared to discharge it with propriety. Objections had been taken to the *ex-officio* clause, but he regarded it as one of great value. He might state that two applications had been made to him by gentlemen in Ireland, requesting that he would recommend them to the Lord Chancellor to be put upon the commission as magistrates, because they wanted to be *ex-officio* guardians of the poor. This showed that the gentlemen of

Ireland were alive to the necessity of taking active steps towards the recognition and administration of the measure now before the House. He believed that the ratepayers of Ireland would soon find the pressure on them so great that if they did not introduce order and regularity into the proceedings connected with the working of this Bill, and attend to the paupers of the country, those paupers would become unmanageable on their hands. Looking at the state of society in Ireland, he thought that even if the passing of the Bill before the House would create the state of things apprehended that night, still Parliament should not be deterred from altering the state of things which at present prevailed in that country. He had confidence in the gentry, the farmers, and the lower orders of Ireland. He believed that they were governed by those feelings that regulated other men, and that they were really industrious where industry was profitable to them. He trusted and confidently believed that the evils which had been apprehended would be avoided, and that the Bill would eventually confer a benefit on Ireland.

The Archbishop of DUBLIN said, he had no intention to occupy their Lordships' time upon the present occasion beyond a few observations, because he thought this was not the most suitable time for entering on the merits of the Bill, especially after what had been so ably said on both sides of the House. He rose merely to make a remark on an allusion to an expression in a former speech of his, which allusion was calculated to occasion a false impression. He was quite sure the noble Lord had no intention to misrepresent; but a very small difference in an expression would sometimes make all the difference between right and wrong. His (the Archbishop of Dublin's) expression occurred in a description of his own practice—he was describing the fruits of his own experience—and what he had said was, that he did not give "high wages." That, of course, was a very indefinite expression; but he did not mean it to be understood by that that he was in the habit of giving lower wages than the best wages such workmen could earn anywhere else. By saying that he did not give high wages, he meant that he was not in the habit of giving such wages as he would wish to see an industrious able-bodied man earn—such wages as he would wish to see him bring home to his family to increase their comforts and well-being. He gave such wages as would not discourage the man from finding employment elsewhere to the best of his powers, and such as would not draw labourers off from the ordinary pursuits of agriculture. But he (the Archbishop of Dublin) must take leave to draw a distinction which the noble Lord who spoke last overlooked. He did employ many persons; and so did several noble Lords present, and one in particular, who expended with great liberality a large part of his income in providing employment for labourers for whose services he had not actually any need; and he (the Archbishop of Dublin) thought that a legitimate and proper mode of conferring relief so long as it was done voluntarily, and secretly. He and many of his neighbours on certain occasions might say, "Here is such a one and such a one who are steady active men, and willing to work. Do not let us degrade them by driving them to parish relief, but let us find work for them. I will employ John; do you employ Thomas; and let another employ Charley, and so on, for a few weeks, in order to enable them to maintain their families. I will level a ditch or a bank, or make a ditch or a road, although I do not much need it; do you do likewise, in order to keep them in work till a busier time of the year arrives." This plan had been frequently acted upon in England, as most of their Lordships were aware; and by that means proprietors frequently saved themselves cost in the end, and, what was of much more importance, they saved the character of the labourers. In that case, above all others, he should say, "You should not let your left hand know what your right hand doeth." When this practice was found to be so useful, it was frequently supposed that it would be a good plan to make it a regular compulsory thing, and that the labourers should be divided among the occupiers, who should pay a certain rate commonly called a "labour rate." But as soon as it was discovered by the labourers that they were employed to keep them from the parish—to keep them from being a burden on the rates—then the spell was broken, and the whole charm was destroyed; they felt themselves in the condition of paupers—as a sort of slaves—as persons who must be employed because you must feed them at all events. It was not his intention to detain the House with any full discussion on the Bill now before them; but, being on his legs, he could not but take this opportunity of expressing how much he felt the difficulties and embarrass-

ments in which Her Majesty's advisers were now placed. He was perfectly certain that various persons of different opinions were calling on the Government to perform impossibilities. Such persons were giving suggestions which could not possibly be acted upon, and censuring the Government for not removing the afflictions which Providence had sent upon us, and the removal of which was far beyond their power. He wished to take this opportunity of expressing his full concurrence in what fell from the noble Lord who opened this debate, in respect of the gratitude he felt himself bound to express in behalf of the Irish people for the great bounty and genuine liberality of the people of England, and he might add the people of America likewise, towards the Irish people. He had been made the channel of conveying to the people of Ireland a large portion of the contributions that came from America. He had received, not long ago, intelligence of the arrival of a large cargo of corn meal, purchased by the contributions of the people of Philadelphia, through the suggestion and instrumentality of Bishop Potter, a Protestant Episcopalian bishop, who announced to him the collection that had been made. He had received intelligence of the arrival of the first cargo, and was also informed that another was on the way. Those liberal contributors, both from the United States and from Canada, and other of our colonies abroad, had been entrusted to his care; and he had, therefore, taken the opportunity of returning thanks for them on behalf of the people of Ireland. He trusted he need not assure most of their Lordships that the distribution of those contributions was made in such a manner as would most effectually carry into effect the beneficent purposes of the donors. Various attacks had been made upon him in reference to his share in the inquiries made under a Commission of which he had had the honour to be a member; and other accusations had been brought against him by various parties, in several quarters, for many years. But during the number of years that he had the honour of being a Member of their Lordships' House, he never troubled himself with any defence against them. The first time he had the honour of addressing their Lordships—now fourteen years since — he undertook to declare the maxim on which he acted—"That character that will not defend itself is not worth defending." With reference to the present measure, from what he knew of human nature, he did feel that it was a perilous experiment to hold out the prospect of relief provided by law for all parties in want. He trusted he should not be conducting himself harshly towards the advocates of this measure if he called on them to consider how many rocks and shoals there were—as they themselves acknowledged — through which they would have to steer their way. In Ireland there was not the requisite machinery for carrying out the measure; there was not a rudder or compass to guide them through these shoals. There might be a very good chart laid down in the Bill; but there was neither sail nor tackling nor paddle-wheels to steer them through. That was the main ground of his objection. Owing to the faults of the lower classes of the people—the claimants of relief, and of those next above them, the distributors of that relief—for he did not mean to say that the higher classes in Ireland were without their share of various faults, insurmountable difficulties, and irremediable abuses, might be expected to arise. The more faulty both classes were, the greater would be the danger of administering this most difficult system, and carrying it through safely. He would not detain their Lordships longer than to say, that it was a sense of the great hazard, the difficulty, and the extreme importance of the measure, and of the difficulty Parliament would find of retracing their steps, which induced him on a former occasion, and now again, to urge on the House to exercise the greatest degree of caution and deliberation before they passed this as a permanent law —a law which it would be both unpopular and dangerous hereafter to repeal, and still more dangerous to retain.

LORD STANLEY: My Lords, I exceedingly regret the duty devolving on me of troubling the House with a few observations. I am, however, relieved, first, by the hope and confidence I entertain, that, after the discussion that has taken place, my noble Friend behind me will not ask the House to proceed to a division; and also because a great portion of that which I have to address to your Lordships has been much more ably addressed to you already by my noble Friend opposite, in almost all of whose arguments I am disposed to concur, although I am not prepared to run those arguments the whole length he does. I entirely concur with the right rev. Prelate who last addressed you, that the question is fraught with great

danger, and requires the most dispassionate deliberation, and that it is fraught with inconveniences much greater and more serious in their character than the pecuniary results, whatever they may be, which are likely to follow from the adoption of this measure. I think that there have been some difficulties in the way not understood by the noble Marquess who moved the second reading. I think that there has been some little misunderstanding in regard to this measure arising out of this emergency; and I think that probably this Bill would not have been brought forward at this period, if it were not for that emergency which forces on your consideration the affairs of Ireland in the most painful light. But, my Lords, I do not say, therefore, it is not necessary for us to deal with the question; for, although the present emergency is great and pressing, and may be of a temporary character, yet it will operate for many years on the social condition of Ireland; and the effect of the present emergency, caused as it has been by the destruction of the potato crop, will last for many years, and, for some few years at least, cause a serious alteration in the social condition of Ireland. I am prepared to admit the importance of legislating cautiously on a subject of this vast importance in a moment of excitement, when all our feelings of pity and commiseration are aroused, and when the feeling of alarm is too general and too wide spread to enable the Legislature to give to the condition of Ireland that dispassionate consideration which is called for; but at the same time, whatever inconvenience there may be in legislating on a subject of this importance, especially at a moment like the present, I may be permitted to observe that there are some circumstances which give facilities for well-considered change in the law regulating the relief of the poor in Ireland, which might not exist under other circumstances. All classes of society in Ireland are now prepared for great changes in their social condition. There is a general breaking up of many old habits and old customs, old feelings, and old prejudices. Stern necessity has forced upon the Irish people lessons which they have been slow to learn; and therefore it is I say that, under these circumstances, there are facilities for carrying into effect great changes in the social system of Ireland, which would not have been offered under circumstances of less aggravated pressure. But, my Lords, although the present time unquestionably affords these facilities, it does not exempt Her Majesty's Government, neither does it exempt your Lordships, from the necessity of divesting ourselves of all personal feelings—of all individual interests—or of all feelings which may have the effect of warping the decision of our calm and sober judgments, so as to prevent the consideration of the peculiar nature of the emergency, or of the ultimate result of this line of policy which is proposed for our adoption. My Lords, it may be that by a hasty and ill-considered measure you may not in a temporary manner, but for a permanency, lay property low before an overwhelming mass of pauperism; and it may be, on the other hand, that by good legislation you may be conducted through this great danger—it may be that we shall be led, through great ruin to individuals and loss to ourselves—it may be that we shall be led, through great difficulties and dangers—to a sounder social state than Ireland has yet known—and it may be, out of this nettle, danger, we may happily pluck the flower, safety. These are the questions for your Lordships to deliberate upon; but, whatever may be your decision, it is of importance, as the most rev. Prelate has warned you, that you should take no step which you can be called upon to retrace—that you should commit yourselves to no course which you are not assured is prudent—no course that does not offer the best chance of remedy. My Lords, I have before said, that in my mind the pecuniary consequences which must result from this measure are the least important; but I must say, that with regard to those considerations, the noble Earl on the cross bench (the Earl of St. Germans) appears to me to have inadequately estimated the amount of evil to be apprehended from them. The noble Earl spoke of 7*d.* and 10½*d.* as the amount of legal charges to be assessed on landed property in Ireland. All I can say is, that in the union in which some of my property is situated, I received information a short time ago that a rate of 6*s.* in the pound had been struck. But, my Lords, this is not all; for I know that there are more aggravated cases, and that at the present moment—I don't say permanently, God forbid that I should!—but I say that at present there are unions in Ireland in which a rate of more than 20*s.* in the pound has been assessed for the relief of the poor. Whether that state of things is to continue, I cannot say—whether it is to be modified, I cannot say—or whether it

is altogether to be done away, I cannot say; for it depends not upon the humanity, not upon the good feeling, nor upon the kindness of disposition, but on the wisdom and sound prudence of your legislation, under the awful circumstances of the present crisis. If this Bill had contained a provision for an indiscriminate out-door relief to be granted to the population of Ireland, there would have been no warmer or stronger opponent to the measure, so far as my power of opposition could have gone, than I should have thought it my duty to be; but, if I understand the measure aright, it is practically, so far from sanctioning, putting a negative on the claim to out-door relief. At the same time, there could be no doubt it was largely extending—and, as I think, wisely—the amount of relief which is to be offered to the destitution of Ireland from the public funds. As the law at present stands, there is no claim to relief on the part of a single individual in Ireland. But the noble Earl on the cross benches says that the guardians of the poor-law unions are bound to provide for the destitute. I think otherwise; and I believe that no person can go before a board of guardians in Ireland, and can insist, as a matter of right, upon their maintaining him at the charge of the union, wherever it may be. This Bill has this great claim, that it is no longer discretionary, but mandatory and imperative, upon the guardians to provide for the permanently destitute, the sick, and the infirm in the workhouse, or out of it, according to their discretion. My Lords, it goes further, for it authorizes assistance to be given to the able-bodied out of the workhouse, in certain cases. Let us for a moment look at the position of an able-bodied pauper in Ireland, as the law at present stands. He applies for relief; he is refused by the board of guardians; and he has no power to compel them to administer it. They exercise their discretion; they cannot relieve him; but they offer to take him into the workhouse. But it so happens that the workhouse is full; and yet they have no power to provide for him. By the proposed law, it is true, there is nothing imperative upon the guardians to relieve him; but the Poor Law Commissioners have the power to call upon the guardians, provided the workhouse be full, to grant to the able-bodied pauper relief for a period not exceeding two months, such relief to be administered only in food. I must say, that if this clause stood alone, I do not think it is open to serious abuse; for the relief can be afforded only in food, and when the workhouse is full, the man absolutely destitute, and, above all, only for two months, and then under the orders of the Poor Law Commissioners. But, my Lords, we must not forget, when we talk of workhouses being full, that there is already a law empowering the guardians to hire temporary buildings and to increase the workhouse accommodation to any extent that may be deemed requisite; there is no limit placed to the extra accommodation so to be afforded; in point of fact, the guardians may order any amount of accommodation they please. There is, then, a great facility offered by this Bill, because the present inmates of workhouses are, not exclusively, but in a great measure, composed of that class for which power is given of providing relief in or out of the workhouse. In the event, therefore, of any great or sudden pressure on the resources of the union, the first and second step which would naturally be taken by a provident board of guardians should be, to make provision out of the workhouse for all those for whom they are authorized to make such provision—leaving the workhouse available for the able-bodied poor—and then to add to the extent and augment the number of the workhouses. Now, when I talk of powers for extending workhouses, I perfectly agree with my noble Friend opposite as to the utter inefficiency and inadequacy of the present workhouses in Ireland to meet the requirements made upon them. When we find one workhouse for a circuit of from 800 to 1,000 square miles, and perhaps distant from the pauperized districts some forty miles, I think it is clear that the workhouse test cannot be effectually applied in Ireland. This is a subject which requires the most careful and serious attention. It is true, the Poor Law Commissioners have the power to increase the number of workhouses, and to diminish the size of the unions; but remember, the power is not one of a compulsory nature. The size of the unions and the number of the workhouses which might be adequate to a limited system of relief, previously to the passing of this Bill, will be entirely insufficient when applied to the new measure. If, therefore, you are to make the workhouse test effectual, the increase of the number of the workhouses is a *sine quâ non* to the good working of the measure. But I go further, and entirely concur with my noble Friend, that if there

is to be any safety in the measure it must be by enlisting all classes of ratepayers and all the property of Ireland in one common interest, for the purpose of preventing lavish expenditure, and of guarding against an undue administration of the funds. It has been stated by a noble Lord, that there are not in Ireland the elements requisite to the local administration of such a measure. If this is so, your efforts are hopeless. If for one moment it could happen in carrying out the poor law in this country, that throughout you do not possess a local administration, with all the knowledge and all the will to develop its principle, the principle would break down under them in a trial of three months. My Lords, before I proceed further on the subject, I implore of you not to be led away by the false and vague denunciations which have filled the public press of late, and which have been repeated out of doors and in another place—denunciations against the Irish landlords for exercising tyranny and oppression against their tenants. My Lords, I must go further, and implore of you not to throw upon the property of Ireland, and upon the landlords of Ireland, burdens which in your conscience you know you could not yourselves bear. I must also beseech of you not to call upon them to do that which you could not effect yourselves. I must solicit you most earnestly to compare the authority and power which you exercise over your estates in this country, with the authority and power which the Irish landlords exercise over theirs in Ireland. It is the fashion now-a-days to talk of the unlimited powers of landlords over their tenants; but I think it would be more appropriate to say, with respect to the case of Irish landlords, that the power of the tenants over them is very much greater than the authority of the landlords over the tenants in this country. This I do not hesitate to say, though I am quite willing to admit that there are individual cases of landlord oppression, especially on the part of small proprietors. In point of fact, however, whatever it may be theoretically in law, it is in Ireland the tenant who has the power over the landlord, nor the landlord over the tenant. I, therefore, pray your Lordships to abstain from laying on the property of that country a burden to which it is unequal. God forbid that I should deny property has its duties as well as its rights; but it must be conceded its rights in order to perform its duties. I ask you, for that reason, not to call on property, invested with rights inferior to those it enjoyed in this country, to exercise duties which, under similar or more favourable circumstances, you yourselves would be incapable of performing. My Lords, I am now about to refer to one provision already commented upon, and to a suggestion which has been made in the other House of Parliament. The one is, with respect to the extent of unions, and the other, to the question of the rate falling on the occupying tenant. I have already said, that your only safety is in enlisting in the control of the measure the interests of all who are concerned directly in the payment of the tax. Now, I must ask you first, with regard to the size of the union; and, looking at the inducements which they ought to offer to all concerned in the payment of taxes to curtail the expenditure by voluntary effort, what possible motive can any landlord have to make a temporary and great sacrifice—a sacrifice of present income for the purpose of placing his tenant in a more prosperous condition? What advantage can he gain from the improvement of his estate, from the employment of his people, and the suppression of pauperism, if, with all the charges that are to be brought upon him, he be reduced, if not to the condition of a cipher, to that of a mere item, in an enormous union exceeding 800 square miles, of which, perhaps, two or three square miles were his own property, and the remainder in the hands of other persons, not of the same provident character, not of the same kind and liberal disposition as himself, but who will be encouraged by this Bill to pursue a careless course, covering their land with pauperism, because, knowing that the charge would fall not on them, but on the man who conducted his affairs more economically? The evil and difficulty of those extensive unions are at present severely felt; and how much more severely will they be felt under the operation of this Act! Various electoral divisions at present comprise 10,000 acres; and I ask what motive will there be for individual exertion, when you will have extended those divisions to 150,000 acres? If this principle of enlarging electoral divisions be adopted, you will no longer make the charge conterminous with the bounds of property; and, by making the rate of the careless and indifferent manager of his property fall with equal burden on him who is judicious and careful, you will be laying the foundation of an ill-

directed, useless, reckless expenditure. I do, therefore, most sincerely hope that Her Majesty's Government will reconsider the proposition of extending the area of taxation, for I am sure it will be found to work most mischievously. It has been suggested that the townland division should be the area; but such an area will, I consider, be much too small. To work the measure well, it will be necessary to increase the number of workhouses and the number of unions; but it will also be necessary to increase the number of electoral divisions in those unions, and to diminish the area of taxation in order to furnish a motive to individual responsibility. I now come to another question, which I deem to be one of the greatest importance. It is a question upon which the noble Marquess who opened this debate expressed the strongest opinion; and my opinion is equally strong in opposition to his. The question is, upon whom—not retrospectively or immediately, but prospectively and ultimately—is to fall the weight of this taxation? What principle will you lay down as to the class of persons who are to bear it? You know at present the charge is borne by the occupier with power to deduct from the landlord one half of the rate. That is the principle of the taxation, but the real result is that more than two-thirds of the rate are borne by the landlord, leaving scarcely one-third to be borne by the tenant. The result may be, that when you introduce out-door relief, and make the landlord wholly liable, the tenant will have an interest in causing a large expenditure of the rate for the purpose of maintaining some persons whom he might otherwise have to maintain himself. Even in England, my Lords, where the farmers are comparatively wealthy and intelligent, and where the farms are of considerable extent—even in England, I say, it would not be endured that a board of guardians, composed of farmers, should be able to deduct two-thirds of the rate from the owners of the soil. In this country the farmers commonly hold 300, 400, 500, and even as much as 1,000 acres, whilst in Ireland the farms—if such they can be called—are five, ten, twenty, or thirty acres; and yet it is upon a body of farmers of that description that you are about to confer the power of raising the rate. I tell you I look upon this provision of the Bill with the utmost dread and alarm. The noble Marquess opened his speech by saying, that the result of the present state of things would be to diminish considerably the number of small holders of land. He looked forward with hope, as I do, to the time when the system in that country will be somewhat more analogous to the English system. I, too, look forward with expectation to the period when, as my noble Friend said, the plough shall be substituted for the spade—I mean as the spade is at present employed—and I must here say, that I do not agree with my noble Friend (Lord Monteagle) that the substitution of an improved mode of husbandry will diminish the demand for labour. On the contrary, I believe that the best chance for an increase of employment in agricultural pursuits, is the introduction of a more scientific system of cultivation. The noble Marquess said, the landlords must increase the size of estates, decrease the number of tenants, and employ the surplus labour. All this sounded very well, but it is exactly what the landlords cannot do; it is what the Government itself could not do, with all the power of the Crown, upon the model estate it held in its own hands. For sixteen years the Government has been engaged in vain attempts to dislodge one single tenant, and he a tenant-at-will! and not one of them has for years paid one penny of rent! They were put in as caretakers of the property, and they took very good care of it indeed, for they took such a liking to their charge, that they could not be induced to part with it. They locked their doors against the landlord, and refused either to give up their farms or to pay a single shilling in any capacity whatsoever. I should like to ask what has the Crown done for the improvement of that property? And when the landlords in Ireland are called to so severe an account for not having their estates in a better condition, and their farms better ordered—landlords, too, who are in the midst of a starving population and a turbulent peasantry, I think they may point with some sort of justice to this model farm, and also, my Lords, to the confessions of the Ministers of the Crown in their capacity of Irish landlords. I admit as willingly as any one that the system of small holdings in an evil—I admit that a diminution ought to take place; but how is that to be done? How, but by diminishing the motive which at present influences so large a proportion of the population to be holders of land—by making them feel the duties and responsibilities of landholding—by obliging them to contribute a fair propor-

tion towards the maintenance of the poor. As the Bill originally stood, there was not one of these holders of small farms that might not come forward and demand relief from the rates. The provision of the Bill prohibiting the giving of relief to a man occupying land, will go a considerable way in diminishing the attachment to the land in Ireland; but it is not enough; it will not produce any effect on the social condition of the country, the progress of agricultural improvement, or the employment of labour. If the occupier of a small plot cultivates it tolerably by the labour of his family, it is as much as you can expect; but he cannot employ labour, and he allows his land to remain half cultivated. The peasantry were content to remain half starved and half clothed, in habits of ease and indolence, until this alarming visitation of Providence came upon them. Do not let me be mistaken. When they have sufficient wages to stimulate them to exertion—when they are well fed and taken care of, and thoroughly well overlooked—they get through their work very well. They work hard in this country: why? because for a bad day's work they would get no wages at all. They get full wages, but must give full work. In his own country, the habits of the peasant and his mode of labour are quite different; nine-tenths of the labouring population, as they are called, prefer receiving 6*d.* a day for six hours' work, to 1*s.* 6*d.* a day for twelve hours. The only chance, I say again, for the welfare of Ireland is in the diminution of the number of the small occupiers of land, and in the multiplication of the number of independent labourers. We must endeavour to multiply that class which has the power to employ labour, and extend the area over which such a class will have influence. It is ridiculous to expect that the landlords can employ the surplus labouring population. I do not mean to say but the landlords may afford some relief in the parishes in which they reside, by employing a greater quantity of the surplus labour than they absolutely require; but, as a rule, the labourers must be employed by the occupier, and not by the landlord. It would be ridiculous, if it were not so lamentable, to indulge the fatal error that the owners of the soil can employ the surplus population, when all their estates are subdivided into portions of ten and fifteen acres each, and held by men who have not the means of occupying a single labourer; and the landlord would be resisted to the death who sought, at his own expense, even to run a straight division between two holdings, if one of the tenants thought he should get half a "cow's grass" the less by the change. Then, my Lords, what I say is, compel the occupier who takes the land to bear the responsibility of it. Do I say, throw a heavier burden on the occupier than he at present bears? I mean no such thing, my Lords; and I wish to guard against misrepresentation upon this part of the subject, of which there has been already too much. What I mean is, that when the tenant is about to bargain with the landlord for his farm, the latter should say to him, "Now, recollect, I let you my land on condition that you pay the poor-rate;" and from that moment the tenant would have a direct interest in keeping down pauperism by enlarging the field of employment, and his interest would be identified with those of the landlord. But it is a vain, a foolish, a visionary expectation, to suppose that the substantial farmers will employ additional labourers for the purpose of diminishing the rates which are paid by the landlord. I do not object to out-door relief, guarded as it is in this Bill by proper restrictions; but to the two great points I have described I entreat your Lordships to give your most careful consideration. But, my Lords, let me warn your Lordships not to be led into the fatal error of legislating against "impressions." The noble Marquess has spoken about "impressions"—I wish he had not used the phrase. Do not be led away, my Lords, by any such delusion. You are about to make a great, a dangerous, and it may be a fatal experiment. I entreat of you not to make it more dangerous, more fatal, by being led away against your better judgment in order to adapt your legislation to impressions. Exercise your free and unfettered discretion; and recollect that you are better judges of what will be ultimately advantageous to those to whom the law is intended to apply, than those persons themselves. If you do not give to the owners of property greater means of improvement—if you do not give encouragement to improve those lands nominally theirs—if you do not give to them greater facilities of obtaining (by fair means undoubtedly) that land which has been mismanaged by small occupiers—above all, if you do not give the occupiers themselves an interest in keeping down the rates, depend upon it that the introduction of this Bill will be one of the most fatal boons

that ever was conferred by England upon Ireland. Again, my Lords, I entreat you not to be led away by any desire to yield to these impressions. Enter upon the great task as statesmen—as provident, foreseeing, and bold statesmen—bold, because convinced of the truth of the principles by which you are actuated. Do not be deterred from doing what is just—do not stop half way—do not throw upon the land burdens which you know the land is unable to bear—do not think to confer a boon upon the occupier by leaving him in possession of all those motives which now influence him to withhold the possession of that land which he cannot till. I entreat you, my Lords, to weigh well these most grave and important questions, and not to be carried away by the impressions of the moment, but to be swayed by calculations of the future. I believe, if the Government boldly face the difficulties—and difficulties of the most serious kind they will have to contend with—that they will be assisted to the utmost in the endeavour to overcome them. They will have to encounter no factious hostility, no party opposition, no political manœuvres, no paltry desire of triumph; on the contrary, they will have every party in this and in the other House of Parliament cordially engaging in co-operating with them in bringing this scheme to a successful issue. Do not be led away by impressions—do not be guided by what may be popular for the moment; but seriously consider what is the safest, or I should rather say the least dangerous legislation—what measure will ultimately lead to a state of society better organized, more harmonious, more closely knit together, more prosperous, than ever existed in Ireland up to this day, or than ever can whilst the present subdivision of land exists in that country. It will not do to bring one of the elements of prosperity into operation. There must be a combination of the three—of land, labour, and capital. At present there is a surplus of labour beyond the power of demand. Emigration has been suggested. My belief is, that you must provide for the expatriation of a portion of the population. I do not share in the alarm so freely expressed, that it is only the possessors of capital who are emigrating. I have before stated in this House, and I now repeat my belief, that the middle classes of the people, even the small farmers of Ireland, are far from being destitute of capital; and what I say is often proved in the transactions between the man who disposes of his interest in a farm to another, as well as upon other occasions. I believe there is abundance of capital, but the cultivation of the land cannot be advantageously carried on according to the present distribution. There must be a class of people created who will have the will as well as the ability to employ the population; and whose interest it will be, not to encourage pauperism, but to repress it—not to promote turbulence and disorder, but to put them down. I was about to speak of the large and, I think, dangerous powers which are given to relieving officers; but at this late hour of the night I will not further trespass on your Lordships. My Lords, I may say in conclusion—and I believe that in saying so I represent the feelings of most of your Lordships—that we do not grudge the Government the credit of framing and bringing forward a scheme which, if successful, will be most important, and most useful indeed; we freely take our share of the burden of deliberation, and are willing to use all our exertions in assisting the Government to carry it through Parliament—we tender our suggestions with frankness—we state our objections openly, and not captiously—we shall spare no pains to bring it to a successful issue; and our earnest prayer is, that this most perilous measure may, by our joint efforts, our acting harmoniously together, listening with patience to the arguments proceeding from either side, and guided only by the voice of reason, ultimately lead to the social reconstruction of Irish society, and the permanent improvement of that portion, and, if of that portion, of the whole united empire.

The Earl of DESART expressed his gratification at the noble and disinterested conduct of the people of England, and strongly reprobated the language used by agitators and fomenters of discord in Ireland, whom he beseeched their Lordships not to regard as representing the sentiments of the people. The noble Earl (who was heard but indistinctly) was understood to express an opinion, that the only means of remedying the evils of Ireland would be to furnish employment for her surplus population, whom it would be idle to think of supporting by means of any system of out-door relief.

Lord BROUGHAM said, that having recently declared his opinions fully with respect to this question, he felt it to be unnecessary to trouble their Lordships with

many observations at that moment. He differed from those who thought that the present pressure of circumstances afforded a reason for adopting the measure; he thought it a reason for not legislating on such a subject. In his opinion, the opportunity was taken to carry the measure, which but for some such extraordinary pressure of circumstances, no one would have dreamt of proposing. To meet a temporary pressure, they were about to impose a permanent burden. He hoped that, at least, the operation of the Bill would be limited to one year, and from then to the end of the next Session of Parliament. Still they would be sinning against principle in passing the measure at all; and, having once given it a temporary existence, it would be found very difficult, if not impossible, to repeal it. It would be desirable to throw the burden upon the occupier, as in this country; but it was impossible to do so. Great as would be the responsibility of the Government, and great as would be the risk to the public peace, if they were to do nothing in this matter, that responsibility and that risk would be a mere jest compared with what they would have to encounter if a Bill should be sent over to Ireland which would impose the burden, even prospectively, upon the occupier. It was absolutely and hopelessly impossible to do any such thing. The consequence would be that the occupier, who was the person that ought to control the expenditure, would have no interest in doing so, because he knew the money would come out of the landowner's pocket. The whole course of that night's debate had more and more thoroughly convinced him that the Bill would be found incapable of execution, from the want of the machinery to work it. The diversity of opinion which prevailed on the subject, confirmed him in his opinion. Every noble Lord who had spoken that night had taken a perfectly different view of almost all the essential particulars of the plan. Indeed, one noble Lord, who had spoken from the cross benches, was so enamoured with poor-law relief, that he expressed great indignation because the owners of land could not obtain relief under the provisions of the Bill. The noble Lord did not care whether the owner or the occupier of the land paid the rates; but he wished the landowner at any rate to come in for his share of relief.

Lord COLCHESTER would give his vote for the second reading of the Bill, on the broad principle that he thought that in every civilized and Christian land care should be taken that no person should perish from destitution, or should be without a regular legal provision in case of distress. But that was not the case with Ireland at present; the poor there had absolutely no claim to relief; it was in the discretion of the guardians whether they should give relief or not; but the two first clauses of this Bill conferred upon every one in Ireland a right to relief—to the aged and infirm, and those of the able-bodied that were in casual distress; the relief to the latter class to be given out of doors. But while he urged as strongly as he could the principle that it was their duty to provide means of relief for the poor, he thought it but right that they should fix the manner in which that relief should be given; and he, therefore, only supported out-door relief on this principle, that when the workhouses were full, relief might be afforded outside the workhouses. To that extent he supported out-door relief for Ireland.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Thursday, April 29, 1847.

Minutes.] New Writ.—For the County of Galway, *v.* Thomas Martin, Esq., deceased.

Public Bills.—2° Police Clauses; Cemeteries Clauses.

Petitions Presented. By Mr. T. Duncombe, from Norwich, for Alteration of Law respecting the Registration of Voters.—By Mr. Dennistoun, and Captain Duff, from Scotland, against the Marriage (Scotland) Bill.—By Lord J. Manners, from Keighley (Yorkshire), and Cardiff (Wales), in favour of the Roman Catholic Relief Bill.—By Mr. Brotherton, from Padstow, and Uxbridge, against the Use of Grain in Breweries and Distilleries.—By Sir A. L. Hay, from Shipowners of Peterhead, for Reduction of Lighthouse Dues.—By Mr. Dennistoun, from Distillers of Glasgow, respecting the Drawback on Spirits, and the Bonding System.—By Mr. Grimsditch, from Blackburn, respecting Remuneration to Tax Assessors and Collectors.—By Mr. Deeds, from Farmers attending Canterbury and Ashford Markets, in favour of the Agricultural Tenant-Right Bill.—By Mr. Ferrand, from Inhabitants of Wibsey, for Repeal of the Anatomy Act.—By Visct. Ebrington, from Ratepayers of the Districts of St. Peter, Saffron Hill, and St. Andrew, Holborn (Middlesex), for Extension of the Baths and Washhouses Act.—By Mr. Divett, from Exeter, for Regulating the Qualification to become Chemists and Druggists.—By Mr. T. Duncombe, from Manchester, and Mr. Morris, from Cardigan, against, and by Mr. V. Smith, from Guardians of the Northampton Union, in favour of the Government Plan of Education.—By Colonel Fox, from Trustees of the Parish of St. Leonard, Shoreditch, against the Health of Towns Bill; and by Sir G. Grey, from Devonport, and Mr. W. Patten, from Warrington, in favour of the same.—By Captain Duff, from Magistrates and Inhabitants of the Burgh of Macduff (Banff), for Alteration of the Law relating to Highways, Bridges, and Ferries (Scotland).—By Mr. T. Duncombe, from Leicester, Derby, and Nottingham, in favour of the Hosiery Manufacture Bill.—From Petworth, in favour of the Juvenile Offenders Bill.—By

Mr. Ferrand, from Archibald McDonald, of Aberdeen, for Redress.—By Mr. T. Duncombe, from William Henry Brown, M.D., in favour of the Medical Registration and Medical Law Amendment Bill.—By Sir De L. Evans, from Chelsea Pensioners, for Inquiry.—By Lord R. Grosvenor, and Mr. A. Duncombe, from Poor Law Officers of several places, for a Superannuation Fund for Poor Law Officers.—By the Marquess of Douro, from Norwich, and Mr. Gisborne, from Nottingham, for Repeal or Alteration of the Poor Removal Act.—By Captain Duff, from Inhabitants of the Port of Burghead, in favour of the Ports, Harbours, &c. (1846) Bill.—From Liverpool, for Alteration of the Punishment of Vagrants, &c. (Ireland) Bill.—By Mr. T. Duncombe, from John Reddie, of Glasgow, for Redress.—By Captain Duff, and Sir R. Ferguson, from several places in Scotland, against the Registering of Births, &c. (Scotland) Bill; and from the Parish of Auchterderran, for Alteration of the same. By Sir R. Ferguson, from Fife, and Sir J. McTaggart, from Presbytery of Stranraer, against the Registering Births, &c. (Scotland) Bill, and Marriage (Scotland) Bill.

THE JAMESTOWN.

Mr. BROWN, seeing the Chief Secretary to the Lord Lieutenant of Ireland in his place, rose to inquire of that right hon. Gentleman, if the American Government had taken the guns out of a vessel of war called the *Jamestown*, and placed her, as well as another vessel of war, at the disposal of a certain number of American gentlemen, citizens of the United States, who had formed themselves into a committee for the purpose of affording relief to the suffering population of Ireland. He wished to know whether those vessels or either of them had yet reached any of the Irish ports?

Mr. LABOUCHERE thought that, previously to answering the question which had just been put to him, and of which the hon. Gentleman had given him notice, he should do well to read to the House an extract of a letter which he held in his hand. The writer of the letter was Mr. Everett, whom they all remembered for many years as Ambassador in this country accredited by the Government of the United States. The letter was in the following words:—

"Cambridge, March 26, 1847.—I address you this letter for the purpose of commending to your protection and good offices the commander of the *Jamestown*, R. Bennett Forbes, Esq. This vessel will sail to-morrow for Cork from Boston, with a full cargo of provisions for the relief of the sufferers by famine in Ireland, and another equal quantity will soon follow. The funds for these supplies have been raised by voluntary subscriptions, about one-half in Boston, and the other half in the interior towns and villages in New England, to the amount in the whole of about 100,000 dollars. Large supplies, not included in this estimate, have been sent, and are on their way, from New York, and other places further south. The *Jamestown* is a vessel of war of the United States. Her armament has been taken out for this voyage, and she has been placed by the Secretary of the Navy at the disposal of the Boston relief committee. Mr. Forbes, who takes command of her, and who will have the honour of delivering to you this letter, or its duplicate, is a merchant of great worth and public spirit; a gentleman of high consideration in the community, who has volunteered his services for this occasion. The officers associated with him in navigating the vessel, are also volunteers—substantial citizens of great respectability. The cargo is placed under Mr. Forbes's exclusive control; and he and his brother officers have gratuitously devoted themselves to this benevolent service at considerable personal inconvenience, from the sole motive of appropriating the supplies in the most economical and effectual manner."

The *Jamestown*, after performing that important service at Cork, and having deposited her cargo in that city, took her departure, and was now on her way to the United States. The other vessel also had arrived and landed her cargo in Ireland. But even the large supplies brought by both those vessels, formed only a small portion of the contributions—the spontaneous and voluntary contributions—which the people of Ireland had derived from the benevolence of the people of the United States.

PUBLIC REVENUE.

Dr. BOWRING rose, pursuant to notice, to move certain resolutions touching the collection of the public revenue. He had sought various opportunities to bring those resolutions under the notice of the House, or at least a Motion similar in tendency; but he regretted to say that his labours had not yet been attended with success. The object which he had in view was best expressed by the resolutions on the Notice Paper of the House, and he should, before he proceeded much further, read those resolutions to the House. He need scarcely remind hon. Members that, with respect to the revenue of the country, there were two great sections—one connected with the receipt, and the other with the expenditure of the public revenue. The groundwork of his resolutions was, that receipt and expenditure should on no account be confounded; that, as the services of receipt and expenditure were in their nature of a separate character, so the functions of the two departments should be wholly and effectually separated. Parliament would not perform its duty unless care were taken that all the money which the people contributed to the exigencies of the State, found its way into the Queen's Exchequer. The Exchequer was an insti-

tution which, as far as he knew, no other country possessed, and it was one from which the greatest possible public advantages might be derived; it might be made the banker of the State. Into the Exchequer every department of revenue should be required to pay all its receipts, without any deduction; and from the Exchequer all payments should be made, under Parliamentary authority, with the sanction of the Treasury derived from that Parliamentary authority. He should, however, now, with the permission of the House, read his resolutions, as the best text upon which to found his observations. They were as follows:—

"1. That it appears, by official returns which have been laid on the Table of this House, that a sum exceeding 7,000,000*l.* sterling is annually expended in the different departments of Government, without being paid into Her Majesty's Exchequer, or subjected to any preliminary Parliamentary sanction or control.

"2. That it appears, by the returns ordered to be printed in the last Session of Parliament, that sums amounting to 6,152,394*l.* 14*s.* 9½*d.* were deducted by the various revenue departments from their gross receipts, and intercepted in their progress to the Exchequer, for disbursements in the said revenue departments, in the year ending the 5th day of January, 1846.

"3. That it appears, by the same returns, that in the said year the sum of 909,610*l.* 12*s.* 2*d.* was received by various departments of expenditure from sources independent of Parliamentary grants or issues from the Exchequer, and that such sum has been, or may be, expended without previous Parliamentary examination and control.

"4. That for the security of the public revenue, and the accuracy, simplicity, and completeness of the public accounts, it is desirable that the gross receipts of all the departments of revenue should be paid into Her Majesty's Exchequer.

"5. That no department of expenditure should be allowed to receive money from any quarter other than Her Majesty's Exchequer, under Parliamentary vote; and that all sums received for stores, fees, fines, or from any other similar sources, be paid into Her Majesty's Exchequer.

"6. That every department of receipt be required to present an annual estimate of anticipated expenditure, and that such estimate be submitted to the sanction and approval of Parliament.

"7. That as this House has, by its Resolutions of last Session, recognised and approved of the principle, and directed it to be adopted in the Crown colonies, that the gross revenues should in all cases be paid into the public Treasury, there is no sufficient reason for delaying the application of the same principle to the revenues of the United Kingdom; and that this House concurs in the recommendation made by the Commissioners of Public Accounts in the year 1831, 'that no portion of the public treasure should be arrested, on any plea or pretence whatever, on its way to the Exchequer; and that no portion of it should be issued from the Exchequer without previous Parliamentary sanction;' and 'that it is only by the adoption of this principle that any really efficient and complete control can be introduced into the different departments of the public service.'"

Unless the resolutions that he had just read were founded altogether in error, he must take the liberty of saying, that after reading them no one could deny the obligation under which the Government of this country lay, not to allow a shilling of the public money to be paid away without the sanction of the representatives of the people. All financial abuses, in fact, were traceable to one of two sources—to the power of raising or applying funds without the authority of Parliament, in the departments of expenditure, such as by the sale of stores, or other appropriations in aid (as they were called); or, in the departments of receipt, by the detention of funds in their progress to the Exchequer; all which funds, he contended, ought to be paid in without any deduction whatever. It was the bounden duty of the Commons of Great Britain to see that all the taxes levied on the people of Great Britain were paid into the Exchequer; and, once collected, then that the money should not be issued until legislative authority was given for its distribution. Many years ago, a commission was appointed to examine into the state of the public accounts. In the year 1831, they made their first important report to the Sovereign of that day. In that report the Commissioners stated, that in order—

"To accomplish with perfect security and efficiency these objects of safe custody, legal appropriation, and record, it is obviously necessary that all public moneys whatever should in the first instance be paid into the Exchequer. But it appears, from the accounts laid before Parliament, that the whole amount of the public income is not so paid, but that amounts derived from divers sources of revenue are received and disbursed without the intervention of this institution, or being in any way submitted to its control. It is also certain that considerable sums arising from taxes and other matters are deducted from the gross receipts, and retained and expended by several departments, which only account to the Exchequer for the net amount after such deductions. We think this practice should be discontinued; and we recommend that the gross receipts of public money, whether arising from taxes in each part of the United Kingdom, from the income or sale of Crown property under the administration of the Woods and Forests, from the sale of old naval, ordnance, or other stores, from unclaimed dividents, unclaimed prize-money, deductions from pensions, loans on Exchequer-bills, or from any other sources, should be placed without deduction in the custody of the Exchequer, and be accounted for to Parliament, whose authority should be necessary for the appropriation of the whole."

The report then went on to say, that—

"A regulation upon this principle was introduced in France by an ordinance of the 14th of September, 1822, and appears to have been eminently beneficial in its operation. It provides, that under no circumstances can any branch of administration receive or dispose of any other funds than those which have been voted for its service by legislative authority; that, in case of any sale of public property, the proceeds of such sale shall be paid into the Treasury, and shall not be at the disposal of the department to which the property belonged."

Now, what was the first signature which he found attached to that document? It was that of a noble Lord no longer amongst them, but whom they all well remembered—he alluded to the late Lord Congleton; his authority, in all matters of accountancy and finance, they would not be very ready to dispute. The next name that he found attached to the report, was that of the noble Lord now at the head of the Treasury; he called upon that noble person now to carry out his own principles. The power was vested in him; let it be exercised in the way which he had declared to be "obviously necessary for the security of the public." The third signature was that of Sir James Graham, who thereby avowed, that unless the principle recognised in that report were acted upon, the public revenue would be perilled. The fourth signature was that of a gentleman of very large experience—Sir James Kemp. The fifth was Charles Poulett Thompson, afterwards Lord Sydenham. The sixth was Francis Thornhill Baring, late Chancellor of the Exchequer; and the seventh was Edward Ellice, now Member for Coventry. Seven names of higher authority in matters of finance could hardly be introduced to the notice of the House. He had on those several occasions moved for returns showing to what extent the sound principles—the principles recognised by the Commissioners of Public Accounts—had been violated. Each of these returns showed that, annually, a sum of nearly seven millions escaped Parliamentary control—that the House of Commons had no cognizance of them—gave no authority for their expenditure until after they were disbursed. In the return the amounts deducted by the different departments of revenue were—

In 1837	£6,155,417
1843	5,507,147
1846	6,152,395

And in the departments of receipt the sums raised and expended without the previous knowledge or authority of Parliament were—

In 1837	£767,439
1843	1,199,376
1846	909,610

Making together, in these years, a sum of—

In 1837	£6,922,856
1843	6,706,523
1846	7,063,005

It would be seen how little practical difficulty there would be in obtaining Parliamentary sanction for the whole amount expended thus irregularly, inasmuch as the amount did not vary greatly from year to year; so that the objection that it would be impossible to predict by anticipation the amounts required had no ground whatever; nor was it found to be an objection in those countries which had adopted a sound system of national book-keeping. But he would, with the permission of the House, read from the last return the items of which those amounts were composed.

I.—Amounts not paid into the Exchequer, but deducted from the Gross Amounts received by Revenue Departments:—

	£.	s.	d.	£.	s.	d.
Customs:—						
Drawbacks, Allowances, Repayments, &c.... ...	301,380	14	6½			
Charges of collection	1,279,943	12	2			
Other payments	325,118	10	1			
Contributions to Superannuation Fund	11,850	16	3			
				1,918,293	13	0½
Excise:—						
Drawbacks, Allowances, Repayments, &c. ...	830,869	15	0			
Charges of collection	968,382	6	8			
Other payments	94,753	8	8			
Contributions to Superannuation Fund	7,758	18	11			
				1,901,764	9	3
Stamps:—						
Drawbacks, Repayments, &c.	225,064	4	11			
Charges of collection	165,346	17	1			
Contributions to Superannuation Fund	851	5	8			
				391,262	7	8
Carried forward				£4,211,320	9	11½

	£	s.	d.	£	s.	d.
Brought forward				£4,211,320	9	11½
TAXES :—						
Repayments	128,268	0	11			
Charges of collection	348,728	0	10			
Other payments	21,794	0	11			
Contributions to Superannuation Fund	1,122	8	1			
				499,912	10	9
POST OFFICE :—						
Charges of collection	1,114,849	2	6			
Other payments	10,745	2	6			
Contributions to Superannuation Fund	2,032	19	6			
				1,127,627	4	6
CROWN LANDS :—						
Charges of collection	41,886	11	3¾			
Other payments	258,570	3	9¹¹⁄₁₂			
Contributions to Superannuation Fund	232	6	5			
				300,689	1	6⅜
SMALL BRANCHES OF HEREDITARY REVENUE :—						
Fines, Fees, Forfeitures				12,845	8	0
Total Amount of Deductions by Revenue Departments from the Gross Receipts, and not paid into the Exchequer				£6,152,394	14	9⅞

II.—AMOUNTS RECEIVED BY ALL OTHER DEPARTMENTS FROM ALL SOURCES EXCEPT PARLIAMENTARY GRANTS OR ISSUES FROM THE EXCHEQUER :—

	£.	s.	d.	£.	s.	d.
TREASURY :—						
Amount of Fee Fund	3,400	0	0			
Contributions to Superannuation Fund	404	0	2			
				3,804	0	2
PRIVY COUNCIL OFFICE AND BOARD OF TRADE :—						
Amount of Fee Fund	916	14	5			
Contributions to Superannuation Fund	502	4	3			
				1,418	18	8
SECRETARY OF STATE, HOME DEPARTMENT :—						
Amount of Fee Fund	12,077	5	7			
Contributions to Superannuation Fund	108	13	1			
				12,185	18	8
SECRETARY OF STATE, FOREIGN DEPARTMENT :—						
Amount of Fee Fund	12,077	5	7			
Contributions to Superannuation Fund	474	19	10			
				12,552	5	5
SECRETARY OF STATE, COLONIAL DEPARTMENT :—						
Amount of Fee Fund	12,077	5	5			
Contributions to Superannuation Fund	92	12	8			
				12,169	18	1
India Board	...		...	25,300	0	0
Admiralty and Naval Departments	...		...	190,461	0	0
Army and Military Departments, including Chelsea and Kilmainham Hospitals, Royal Military College, and Royal Military Asylum ...	...		...	110,053	7	2
Ordnance Department	...		...	179,453	7	3
Paymaster of Civil Services	...		...	19,062	9	1
MINT OFFICE :—						
Profits on Coinage, &c.	214	12	3			
Contributions to Superannuation Fund	97	13	8			
				312	5	11
AUDIT OFFICE :—						
From Colonial Revenues, &c.	696	7	2			
Contributions to Superannuation Fund	362	13	11			
				1,059	1	1
NATIONAL DEBT OFFICE :—						
Contributions to Superannuation Fund	...		...	66	13	5
EXCHEQUER BILL OFFICE :—						
Contributions to Superannuation Fund	...		...	34	11	5
STATIONERY OFFICE :—						
Repayments for Stationery, &c.	43,265	1	0			
Contributions to Superannuation Fund	185	2	4			
				43,450	3	4
Carried forward				£611,383	19	8

	£ s. d.	£ s. d.
Brought forward		£611,383 19 8
Privy Seal Office: Fees		1,478 10 2
Signet Office: Fees		3,813 1 3
Metropolitan Police and Police Courts:—		
Rate levied by Commissioners, &c.	211,464 16 8	
Fines, Fees, &c. from Police Courts	8,885 2 3	
Contributions to Superannuation Fund	832 19 10	
		221,182 18 9
Convict Hulk Establishment:—		
Contributions to Superannuation Fund		236 8 1
Auditor of the Exchequer, Scotland:—		
Interest on Money, Fees, and Contributions to Superannuation Fund ...		1,461 9 8
Paymaster Civil Services, Ireland:—		
Contributions to Superannuation Fund		63 16 4
Chief Secretary's Office, Ireland:—		
Amount of Fee Fund	2,276 18 6	
Contributions to Superannuation Fund	100 18 11	
		2,377 17 5
Chief Secretary's Office, Ireland (in London):—		
Amount of Fee Fund	269 16 6	
Contributions to Superannuation Fund	7 13 6	
		277 10 0
Privy Council Office, Ireland		340 11 8
Board of Charitable Donations and Bequests		48 6 3
Board of Works, Ireland		20,247 19 3
Board of National Education, Ireland		7,546 13 11
Dublin Metropolitan Police		39,151 9 9
Total Receipts by all Departments (except Revenue) from all sources except Parliamentary Grants or Issues from the Exchequer ...		£909,610 12 2
Total of No. I. (Revenue Departments) brought down		6,152,394 14 $9\frac{2}{12}$
Ditto No. II. (All other Departments) ditto		909,610 12 2
Total Annual Amount expended which never reached the Exchequer...		£7,062,005 6 $11\frac{2}{12}$

On these accounts he begged to remark, that since 1843 the amount stopped by the different departments of taxes had increased to the extent of nearly 650,000*l.*; that, since 1836, the amount stopped in the Stamp department had increased from 283,000*l.* to 391,000*l.*; that in the department of Taxes the sums detained had mounted from less than 230,000*l.* to nearly half a million; that in the Post Office, the amount detained was 400,000*l.* more than in 1836; it having been 1,127,627*l.* in the last year and 722,025*l.* ten years ago, so that the evil was one of growing magnitude. Now he doubted much, whether there was any legal authority for these detentions—whether any Acts of Parliament could be found to sanction the deductions of these enormous amounts. Sir Henry Parnell always asserted, that the power was not conferred, at all events, for the retention of a very large portion of them. And he contended, that under no circumstances ought Parliament to divest itself of the right and duty to control the expenditure of every farthing levied in the shape of taxes from the Queen's subjects. They were not called upon to authorize the disposal of the balances merely which were paid into the Exchequer, but the gross amounts received from the people. They were in duty bound, first, to take care that all was paid into the Queen's Exchequer, to require its being so paid as the preliminary step; and to see that as the whole was properly received, and placed in safe custody, so that the whole was properly disbursed under Parliamentary sanction. And with special reference to one great source of expenditure, the salaries of public functionaries, he wanted to know why the salaries and pay of the Army, the Navy, the Ordnance, the Foreign and Home Office, the Board of Trade and Control, and other departments, should be annually voted by Parliament; while the salaries of the officers of the Customs, of the Excise, the Stamps and Taxes, the Post Office, never were submitted to Parliament at all, until the expenditure had taken place, and Parliamentary inquiry came too late to correct an abuse, or to check an extravagance?

He had seen with satisfaction one improvement in the estimates, mentioned in the extract he would take the liberty of reading from the very excellent report on naval and military establishments:—

"The appropriations credited on the estimates in aid of the votes, are to be the sums actually realized and brought to account during the year preceding the estimate, instead of the prospective receipts expected to be realized in the year for which the estimate is voted. The 'credits in aid' have already been put on this footing in the Navy, Ordnance, and Commissariat Estimates; and when a similar change shall have been made in the War Office Estimates, there will be nothing left to be desired on this point."

But this reform must go much farther. There should be no appropriations in aid whatever. In 1843, the appropriations in aid in the Ordnance Department alone amounted to 535,925*l.* When the gallant Officer the Member for South Staffordshire had moved the Ordnance Estimates for the present year, he had acknowledged that it was desirable to get rid of the system, and had expressed a hope that no future estimates would exhibit that now-recognised defect; and he congratulated the House upon the avowal. Now, in order to introduce a satisfactory system, proper forms of estimates were most important, and uniform modes of proceeding were likewise of the highest value. From the reports on the French accounts laid before the House of Commons in 1831 and 1832, they learned

—"that the whole of the public accounts of France, whether relating to income or expenditure, are kept on one uniform plan; that the processes of preferring, examining, admitting, and paying public claims, is the same in all departments; that their forms are framed on one model; that the principle on which the returns of all the departments are compiled being uniform, they are blended without difficulty in the general balance-sheet of the Finance Department; that the final account of every department requires the public ratification of the Court of Accounts as to its correctness; that the superintendence of that court reaches not only the cash agents who receive and pay away the public money, but those also who authorize the public disbursements; and that all the executive departments being required to lay before the Chambers accounts, showing how they have applied the credits granted to them, the control of the Legislature extends over every branch of the public finances."

As to the abuses growing out of the present system, only imperfectly reformed, he need but read extracts from the speech of the right hon. Baronet the Member for Dorchester, to whose services in the field of financial reform he must pay a grateful and cordial, however humble, tribute. On moving the estimates of the Navy for 1831, he explained to the House of Commons that, "Works of great extent in the department of the Naval service had been begun, completed, and paid for, without the knowledge or sanction of Parliament, or without the subject having been once brought under the notice of the House of Commons; that those works were paid for out of the surplus of other votes which were greater than was needed for the purposes to which it was intended they should be applied." The following works were then cited, as instances in which the votes of Parliament had been exceeded, or in which no vote had been obtained:—Weevil, expended without a vote, 155,534*l.*; Cremill, expended beyond the vote, 225,441*l.*; Ascension, expended without a vote, 10,000*l.*; Woolwich, expended beyond the votes, 141,443*l.*; Leith, expended without a vote, 7,908*l.* It was further shown, that since 1820, the sum of 1,243,100*l.* had been expended for "sea wages," beyond the sums voted by Parliament, and that this excess was caused by employing year after year a larger force than Parliament had sanctioned. To meet these excesses, it was explained that larger sums than were needed had been voted for naval stores and for army provisions; the excess of grants beyond the expenditure for those services having amounted in four years to 1,835,000*l.* His proposition was, "That the Admiralty should, on the 30th November, transmit to the Board of Audit the accounts of the Treasurer of the Navy closed up to the 31st of March; and that the accounts, together with all vouchers, should undergo an effectual audit; and that it should be tho duty of the auditors, on the 31st January of each year, to lay on the Table of the House of Commons a report. That the report would embrace a balance-sheet, comparing the expenditure with the estimates; that it would show what surplus remained unexpended, and what had been expended beyond the estimates under each head. That the auditors should also state any discovery of improprieties they might have made, and submit any interrogatories which they might think ought to be put. That, within the period between the 30th November and 31st January, it would not be possible to make a full and effectual audit; but that it would be sufficient to enable Parliament, first, to convert what was now a nominal responsibility in the officer who brought forward the estimates into a real responsibility; that the interrogatories, secondly, would enable Members

to ask questions; and the person who moved the estimates would have to give answers to those questions, and explain the interrogatories of the auditors." The second principle is laid down in page 19 of the Report—a principle the non-recognition or abandonment of which had led to various and grave abuses :—

"No executive department is authorized to exceed the sum appropriated by Parliament under each general head or vote in their respective estimates, or to apply any surplus which may exist under one vote to supply the deficiency on others, without the express previous sanction of the Treasury to be given on a written representation of the circumstances which render the adoption of such a course indispensable for the public service."

There was one other subject connected with the reform of public accounts to which he must refer at some length, namely, the general introduction of the system of double entry. He deemed it so important that he must quote from the Report of the Commissioners of Public Accounts their emphatic recommendation :—

"As we have not the slightest hesitation in advising the employment of the commercial system of book-keeping in its purest and most simple form in all the public departments, and as we consider its application as forming the necessary groundwork of any really important improvement, we shall refer somewhat in detail to the reasons which have induced us to recommend it so decidedly and urgently to the approbation of your Lordships. The peculiar excellency of what is denominated the mercantile system of book-keeping by double entry consists in the facility with which it embraces accounts, however complex, various, and extensive, giving to all their differences of detail a unity of result, and concentrating them at last in the most condensed shape, while it enables the examiner to trace them without difficulty to their remotest ramifications. In the initiatory or auxiliary books of account, a correct system will admit of all the modifications suited to the particular service ; but as soon as the principal or double-entry books take possession of the facts of an account, however intricate and varied, they become subjected to its general and harmonious law. Its machinery is employed to obtain an ultimate balance-sheet which will present in a concise, correct, and intelligible form all the centralized facts of receipt on the one side, and of expenditure on the other, under their special heads. Of the efficiency of this system, the trading world in its infinite variety of commerce and concerns gives unanimous evidence. Into every well-regulated manufactory, into every extensive mercantile establishment in every part of the civilized world, it has gradually, but peremptorily, forced its way. The revenues of no Government have been safely administered, the accounts of no Government have been intelligibly kept, the business of no Government has been promptly and satisfactorily despatched until the commercial system has been introduced with its order and uniformity into the different departments. Several of the Governments of Europe have adopted this method, after repeated and vain attempts to accommodate, by other means, the dissimilar usages of their various public offices to one general system; and there is no instance of a Government having abandoned the mercantile practice after having once employed it. On the contrary, every Government that has introduced it, has borne testimony to its adaptation to national concerns, and its complete efficiency for all fiscal and financial operations and records. It is the system adopted by the East India Company, both at home and in the dependencies abroad ; and we need only refer to Mr. Bowring's report on the public accounts of France for irresistible proofs of its value, practicability, comprehensiveness, clearness, and efficiency. Indeed, it appears from his statement that a succession of Ministers of Finance have borne unanimous and cordial testimony to the excellent workings of the commercial system of accounts in all the departments of Government; that the objections originally suggested against it by persons who have not attentively considered its bearings, on the ground of its not being adapted to public official accounts have all given way before the evidence of its sufficiency and superiority, in the words of Count Chabrol (the late Minister of Finance): 'Simplicity and rapidity in the progress of the public accounts have been accompanied with clearness and regularity of result. Incompleteness and delay have been succeeded by publicity and promptitude.'"

And again :—

"We have said thus much in recommendation of this system, from the strong conviction we entertain, that its general adoption in the public departments is the great, prominent, all-important, improvement, without which every other will be necessarily and essentially imperfect. This system, properly understood, leaves nothing to the caprice of the accountant; it subjects all the elements of an account to an undeviating self-corrective operation, the result of which is, as we have said, their centralization under their appropriate heads. It provides against all confusion between contingent and positive claims, between payments ordered and payments made—in a word, compels the grouping together of all facts which are of a similar or homogeneous character."

The late Board of Treasury in their Minutes of the 14th of July, 1829, recognise the plan of double entry as the principle proper to be adopted, and state the propriety of substituting for the numerous account books now in use a regular cash-book, journal, and ledger, as the foundation of a system of book-keeping upon the plan of double entry; and again they declare "that a thorough knowledge of book-keeping by double entry is above all indispensable to the success of the new measures." One would have thought that recommendations so urgent would have led to the introduction of the double-entry system into all the departments of Government. He had moved in 1844 for a return of the changes which had taken place in the different public offices in the manner of keeping the public accounts, and of the

Treasury orders to the effect to the recommendations of the Commissioners. He was glad to see in that return new evidence of the value and desirableness of the improved system. He found in the Treasury Minute of 27th of November, 1840, the following words. Sir H. Parnell observes—

"I am somewhat surprised that the Committee should have entertained the notion that the establishing the double-entry system in the War Office would be attended with an increased expense. In appearance, the introducing of new duties, and the keeping of new books, naturally may lead to the conclusion that new expenses must be incurred; but experience has fully proved that, in all instances where the double-entry system has been substituted for any other system of accounts, it has always been attended with a large reduction in the expense of account keeping. This has been the case in my office; the quantity of clerks' work has been very much diminished, and the establishment considerably reduced. The attention I have bestowed on the difference of expense of keeping accounts between the old office system and the double-entry system, leads me to think that, with proper management of the change from one system to the other, a saving could be made of at least one-fourth of the expense now incurred in keeipng the whole of the public accounts."

Mr. Anderson, in his valuable practical answers to objections, says—

"There is a strong opinion in many quarters, that the chief obstacle to the introduction of the double-entry system lies in the want of proper persons in each department for keeping the books; and that the clerks on the several establishments do not possess sufficient practical knowledge of the system to give a hope of their carrying it out with success: an equally strong opinion prevails, that there is a disposition to offer unfair opposition to its introduction; and these opinions appear to derive confirmation from the fact, that among the attempts made to establish the system, some have proved unsuccessful, and the failure has been supposed to have arisen from these causes. I am quite prepared to admit that strong prejudices against the system do exist; but I should attach by far too much importance to them were I to apprehend that they could oppose any formidable obstacle to the introduction of the double-entry system in any department, if the Treasury were to make a serious attempt to establish it, and adopt the proper measures for that purpose."

Is it not surprising that the Home Department, the Colonial Office, the Board of Control, the Customs, the Stamps and Taxes, the Post Office, and the National Debt Office, should hitherto have turned a deaf ear to the communications from the Treasury? In the case of the Stamps and Taxes, they give the copy of a Treasury Minute, dated in 1840, requiring that "all clerks shall possess a competent knowledge of the mercantile system of book-keeping by double entry;" and yet themselves report that "no changes have been made in the system of keeping the accounts of their department since 1832." It was impossible there should be any central accounts kept in a satisfactory manner at the Treasury, unless the subsidiary accounts of all the departments were kept in one uniform double-entry system. He had to apologize for the length of a speech on so unattractive a subject; but its importance must be his excuse, and he submitted his resolutions to the approval of the House.

MR. WILLIAMS conceived, that after the case which had been made out by his hon. Friend, it would be impossible for the Government to resist the resolution. The principle on which it was founded had been approved, among others, by the right hon. Gentlemen the Members for Dorchester and Portsmouth, and by Sir H. Parnell. Few questions were of more importance; and the wonder was, that the improvement now suggested, had not long ago been adopted. Millions were annually interrupted in their course to the Treasury, of which no account was rendered to the House; and even if it were said, that the Treasury exercised some sort of control over these vast amounts, it was clear that no proper or efficient control could be secured until the change now recommended took place. During the last three or four years, upwards of forty new places had been created in the Office of Stamps and Taxes alone, at an annual expense of 30,000*l.*; nearly 100 in the Customs, at an annual expense of 60,000*l.*; while in the Post Office the increase had been actually astounding, for upwards of 4,000 new places had been created. In 1790, the present Lord Lansdowne (then Lord H. Petty) had stated that each department had absolute power over the national funds; and really this appeared to be the case at present. He thought that it would be advisable that all the different departments should form a joint board, assisting each other by their united advice in the management of the respective offices. He pressed the subject most earnestly upon the attention of the Government.

The CHANCELLOR OF THE EXCHEQUER said, the hon. Member for Bolton had brought forward the same Motion in former years, and had brought it forward with his usual ability. With regard to the report alluded to by the hon. Gentleman, he was disposed to pay great attention to the recommendations of the Gentlemen whose names were appended to that

report; therefore he was not disposed to quarrel with the principles on which it was founded. But it had been referred to the late Lord Congleton—a man well versed in the details of accounts — and it was found impracticable to carry out, in a practical manner, the whole of the recommendations of that Committee. Although those recommendations had not been fully carried out, still from time to time the Treasury, whenever an opportunity offered, had made great advances in the right direction towards improvement in the mode of keeping the accounts of the country. It was only last year that a great improvement had been introduced, a Bill having been passed providing for correctly auditing the accounts of the Army, the Ordnance, and the Commissariat, on the same plan as the accounts of the Navy. He could assure his hon. Friend the Member for Bolton, that he and his Colleagues had not the slightest desire to impede the progress of such improvements; but the heavy duties which had of late devolved on them, and the extent to which they were occupied last autumn, had prevented them from carrying out many improvements which they had in view. He was far from wishing to object to the general principles of the hon. Member for Bolton with respect to this subject; but he thought that it would be more expedient if the public departments were allowed to carry out the improvements as they found them practicable. Having said that much, he could not agree in the calculations of the hon. Member for Bolton. There were many sums alluded to by him as if expended needlessly in costs of collection, but which really went to the public service. With regard to the present mode of paying drawbacks, he did not see that an alteration of the existing mode would afford any greater convenience. The hon. Gentleman complained that the House of Commons had not a previous knowledge of the items of expenditure in the departments of Stamps and Customs; but, for his part, he could not believe that it would facilitate the transaction of public business if the House of Commons were to examine in detail the salaries of all the surveyors, comptrollers, and similar officers. There were, indeed, very detailed explanations of the items of expenditure published in the annual accounts. He could not agree with the hon. Member for Bolton in thinking the expenses of collecting the revenue were so great as the hon. Member stated. If there were an increase in the expenditure of those departments, there was also an increase of income; but in the expense per cent of collection there had been a considerable decrease since 1836. The gross amount of revenue in the department of Stamps and Taxes in 1836 was 11,091,000*l.* whilst in 1846 it was 17,849,000*l.*, showing a very considerable increase. The cost of collection in 1836 was, in the department of Stamps, 2*l.* 1*s.* 11*d.* per cent, and in 1846 it was 2*l.* 0*s.* 10*d.*; in Taxes, the cost was, in 1836, 5*l.* 3*s.* 1½*d.* per cent, and in 1846 it was reduced to 3*l.* 11*s.* 6*d.*, whilst the cost of collecting the whole revenue in 1846 was but 6*l.* 15*s.* His hon. Friend had spoken of the great increase of the expenditure in the Post-office department of late years; but he ought to recollect the change which had been made in the system of postage, the increased number of letters consequent upon that change, and the greater number of persons that were necessarily employed in order to give this increased accommodation to the public. His hon. Friend might recollect that if they were desirous to increase the accommodation of the public in the Post-office department, it was necessary to incur the expense of employing an additional number of persons over and above those who were employed under the old system. The cost of collecting the Post-office revenue was, in fact, 57 per cent. He might, if he pleased, go into large details in order to show that he could not agree with all the calculations of his hon. Friend, however he might agree with him on general principles. It was desirable to introduce improvements into the public accounts; but his hon. Friend would see that the best manner of introducing these improvements was to allow them to be introduced by the Government in the different departments, as the Government found them to be practicable. That was infinitely the best mode of proceeding, and would necessarily be a more advantageous course than pressing on those improvements before their introduction was found to be practical by the departments, consistently with their other duties.

Mr. HUME said, that he had not heard one good reason from the Chancellor of the Exchequer why the wishes of his hon. Friend should not be complied with. The recommendations of the Commissioners of Public Accounts were either right or wrong; and if they were right, they ought to be carried out. The right hon. Baronet

opposite (Sir J. Graham) had introduced the system contended for by his hon. Friend into the Navy with great success; and he saw no reason why all other departments should not follow the example then set them; but the truth was, that the heads of departments found it gave them too much trouble. Did the Chancellor of the Exchequer know any merchant in the city of London who did not put on the credit side of his ledger all the money which he received? Why, then, should not the same course be pursued with respect to the public? The mischief arose from the complicated state in which the public accounts were kept; and if a simple debtor and creditor account were kept, it would immediately disappear. The Chancellor of the Exchequer said that it would not do to enter into details respecting the pay of clerks in the public departments; but did not the House enter into details respecting the pay of officers and sergeants? He thought that his hon. Friend was perfectly right in the views which he took; and he hoped that the Government would not be influenced to resist the Motion by the flimsy pretences put forward by the Chancellor of the Exchequer.

Sir G. CLERK thought the Chancellor of the Exchequer had given a perfectly satisfactory answer to the statements of the hon. Member for Bolton. The right hon. Gentleman (the Chancellor of the Exchequer) had shown that there had been a very considerable reduction in the per centage for the collection of every branch of the public revenue, with the exception of the Post Office, the cost of that department having increased in consequence of the great additional accommodation afforded to the public. The hon. Member for Bolton contended, that no department of the revenue ought to be allowed to expend any money whatever, but that the whole of the gross receipts of every department should be transmitted to the Exchequer, and that whatever payments were made should be afterwards re-issued from the Exchequer. To that proposition he (Sir G. Clerk) could not give his assent. If he could believe, as the hon. Member for Bolton seemed to think, that sums were intercepted by the public departments without the sanction and knowledge of Parliament, he would agree to the proposition of the hon. Gentleman. The hon. Gentleman, however, was altogether mistaken in his supposition; for no payment could be made by any public department except under strict rules and regulations, which were perfectly well known, and most of which were adopted under the direct authority of Acts of Parliament. The hon. Member for Bolton had expressed his surprise that there was no general balance-sheet of the receipts and expenditures of the year. He could only recommend the hon. Gentleman to follow the advice which had been given him by the Chancellor of the Exchequer, and to take a cursory glance at the financial accounts which were periodically laid before Parliament and the country. It was true, that at a period not very remote, there was no balance-sheet showing the gross revenue and expenditure of the country; but in 1822, a Committee of that House was appointed, including Mr. Tierney, Mr. Huskisson, Sir H. Parnell, the noble Member for Tiverton (Lord Palmerston), Mr. Vansittart, and other Gentlemen conversant with accounts, who prepared the form upon which the public accounts were now made up. That form presented as clear a balance-sheet as could be made out by any mercantile house; it showed the total amount really taken out of the pockets of the people, the expense of collecting the revenue, the payments made by the authority of Parliament, and the sum actually remitted to the Exchequer. According to the theory of the hon. Member, it would give a more distinct notion of what the public receipts and expenditure were, if the whole money collected were remitted to London, and if whatever money was paid away were paid by orders from the Treasury, even to the smallest sums. He asked, whether that would be the system followed by any house of trade, or any Gentleman in that House who had property in a distant part of the country? Would he require his agents to remit to him in town the whole of the rents in the first instance, and then send down to his agent in the country the money for the necessary charges and outgoings of the estate? The gross amount of the whole sum collected was laid before Parliament; and they knew exactly what was the money taken out of the pockets of the people, and what were the payments made by authority of Parliament, and then they had an item of the amount paid into the Exchequer, which was applicable to the ordinary current service of the year. Any other system would lead to inextricable confusion. What, he would ask, was the system pursued at the clearing-house? According to the hon. Member for Bolton, a banker ought to re-

quire that a draft paid to him, and drawn upon another banker, should be paid in cash, while he himself paid in cash all checks drawn upon him. It was well known that that was not the plan followed out, because such a system would create a great additional degree of trouble and expense. But then the hon. Member said, that we ought not to have these appropriations in aid. Now, that was a point which engaged the attention of the Committee which sat in 1822. There was at that time no uniformity of practice in the different departments. The Naval Department followed that course which the hon. Member now recommended, and a whole sum was voted for the expense of the Navy, the receipts from the sale of naval stores being paid into the Exchequer as part of the ways and means for the year. In the Ordnance Department, on the other hand, the same course was followed which now prevailed; and whatever sums were received from canteens, &c., were deducted from the amount of the vote taken for that department. The Committee of 1822, therefore, had both systems under consideration, and they came to a unanimous recommendation that the system of the Ordnance was the preferable one. The practice had, accordingly, since prevailed in the naval service; and he thought that the principle was much sounder than that which the hon. Member for Bolton recommended. The hon. Gentleman said, that Parliament had no control over the expenditure or the collection of the different branches of the revenue. He apprehended, however, that if such a control were exercised, instead of leading to economy, it would tend to a great increase in the number of public officers. Upon these grounds he could not agree to the resolution, in which it was broadly stated that 7,000,000*l.* of the public revenue was intercepted, without having any Parliamentary sanction or control. The reason why the estimates for the Army and Navy were laid before the House every year, was the extreme variation which occurred in the amounts which circumstances rendered it necessary should be granted for the two services; but this was not the case with the Customs or the Excise. He might add, that since the recommendations made by the Commissioners of Public Accounts in 1831, very great improvements had been effected in the mode of keeping the public accounts; and under all the circumstances of the case he could see no reason for agreeing to the proposition of the hon. Member.

Mr. F. T. BARING concurred in opinion with the hon. Member for Bolton, that the adoption of a system of book-keeping by double entry would be a great improvement. With regard to the other points he wished to say a few words, because he had been one of the Commissioners referred to by the hon. Gentleman, and he wished to explain the grounds why those recommendations had not been carried out. The first of these recommendations was, that all the gross payments of revenue should be paid into the Exchequer, and that from the Exchequer all payments should be made. This recommendation was fully considered by the late Lord Spencer and others; and in the conversation which took place he must say that the general opinions of the Commissioners were materially modified; for while there could be no question that upon paper such a system was the best that could be devised, yet in practice it was felt it would have no such advantages as would counterbalance the disadvantages and the expense attending it. The next proposition was, that the whole expenses of all the departments should be voted by Parliament. Now that in principle was a perfectly right proposition. He quite agreed with the old constitutional maxim, that no money should be spent without the authority of Parliament; but then the House must remember that this money was not spent at least without the knowledge of Parliament. It was perfectly clear that if they voted the expenses of these establishments at all, they must vote them in a very loose manner—they could not vote, for instance, that a certain number of officers should be sent to a particular post—they must vote them in the mass, and in such a manner as would hardly give Parliament any control over them. But he must further confess that his young notions as to the control of Parliament over the public money had changed somewhat since his experience of office. This question was argued as if, where there was no Parliamentary control, there must be a profligate waste of money. But what were the facts? In 1822 the expenses of those establishments which were not under Parliamentary control amounted to 5,688,000*l.*, while in 1846 those charges had decreased by something more than a million, being only 4,639,000*l.* But when he looked at those establishments over which Parliament had control, he

found that, so far from decreasing, they had increased from 18,000,000*l.* odd in 1822, to 22,800,000*l.* in 1846. He must, therefore, say to the lovers of economy that this state of things offered no temptation to bring these establishments under Parliamentary control. He believed the practice of bringing these establishments under the control of Parliament was constitutional; but then that gave rise to a pressure from different quarters which prevented reductions from taking place. Look, for instance, to the pressure that had taken place on the Post Office. He had been a party to carrying the benefits of the Post Office into every rural village, which was certainly a great convenience; but then it could not be done without greatly increased expense, so that the revenue of the Post Office was now nearly absorbed in its expenditure; and, indeed, such was the state of things that the Treasury now exercised a control over the expenditure of Parliament, rather than the Parliament over the Treasury. The last point was the question of appropriations in aid. Now, there was no difficulty with regard to this matter; for he believed there was no real advantage to the Treasury one way or the other. It was a mere matter of opinion; and the reason which the Chancellor of the Exchequer had given for continuing the present practice was the real reason—that it acted as a stimulus to the different departments to sell their stores to the best advantage, if they received the credit of them, and were thus enabled to show that they kept down their respective estimates; whereas, if the produce of the old stores were thrown at once into the Treasury, and no credit given to the departments for their careful management, they would have no anxiety whether those stores sold well or ill. That was the real reason of continuing the system—that was the benefit which they received from continuing this practice; and not, as the hon. Member for Montrose appeared to suppose, because they were allowed to put any money into their own pockets. For these reasons he could not support the resolutions.

Sir J. GRAHAM was not surprised that the hon. Member for Bolton (Dr. Bowring) should look upon the report that had been referred to with something like parental affection. With respect to the mode in which the public accounts should be kept, he most cordially and entirely agreed that the system of double entry was the right way of keeping the accounts generally; and he had taken the earliest possible opportunity of introducing that system at the Admiralty, after the report to which allusion had been made. He was much mistaken if the accounts of the British Navy might not now challenge comparison with those of any branch of any public service. The present Government, following up the example of their predecessors, had introduced the same system both into the Army and the Ordnance; and he believed it would be introduced progressively throughout all the great departments of the public service. If it was said that no such system had been adopted at the Home Office, he would observe, that in connexion with the Home Office there was a branch of the public service with very large and complicated accounts, viz., the Police; and in that department he had the satisfaction, aided by Mr. Anderson, of introducing that most approved system of keeping accounts. To the principles laid down in the report of 1831 he adhered. He had not, however, at that time, had practical and official experience; and when that most upright public servant the late Lord Spencer passed the whole subject under careful review, he came to the conclusion that the recommendations in that report were opposed by many and great practical disadvantages. With respect to carrying to the account of expenditure small receipts arising from sales in the different departments, that appeared to him (Sir J. Graham) a matter of minor importance; he could not conceive that there would be much objection to give practical effect to the principle in that matter, and, for one, he should not object to see the recommendations of the report of 1831 carried into effect as far as that went. There remained the great question whether the revenue departments should or should not pay the charge for their establishments before paying into the Exchequer the amount of their receipts; and, upon the whole, though his experience was not so extensive as that of the two right hon. Gentlemen opposite (the Chancellor of the Exchequer and Mr. F. T. Baring), yet he must say, from the inquiries he had made, and from his general knowledge of the subject, that great inconvenience and expense would arise from the adoption of that recommendation. The matter was regarded by Lord Spencer with all his predilection in favour of the adoption of a sound system; and he was only deterred

from adopting it by a regard to practical considerations. It would be impossible—time and space would forbid it—to go into minute details of those extensive establishments. A great deal, too, would escape notice; and, if a public department desired to conceal a job, it would be much easier to do so under a large annual vote than in the course now adopted, under which a most ample account was laid on the Table of the House year by year after the money was expended.

Lord J. RUSSELL rose only to express his general concurrence in the view taken by the two right hon. Gentlemen (Mr. Baring and Sir J. Graham). On principle, the better way would seem to be, that the whole of the receipts should be brought into the Exchequer, and the whole of the payments made out of the Exchequer; but there was found to be so much practical inconvenience in that, and the expense and trouble would be so great, without any adequate countervailing advantage, that that plan, or that part of the plan, was given up, conformably with the opinion of Lord Spencer. The hon. Member (Dr. Bowring) likewise wished that all the departments connected with the collection of the revenue should present estimates to be voted in the House. For the reasons that had been already given, he (Lord J. Russell) conceived that that course would not be expedient; and that there would not be any equivalent advantage gained. It must not be supposed that it was the uniform and unbending rule that all public expenses should be agreed to by vote of the House on estimates; on the contrary, there were a great number of sums, such as the expenses of the Civil List, and pensions and payments out of the Consolidated Fund, which were established by Act of Parliament, and were not brought before the House in estimates to be voted year by year. However, he (Lord J. Russell) merely rose to state, with respect to the opinion of his which had been referred to, that although he entirely concurred in that view at the time when he signed the report, he had long since thought that Lord Spencer took the more correct view of the subject, and that he (Lord J. Russell) was in error when he signed that report.

Dr. BOWRING, in replying, insisted that the departments of receipt and expenditure were kept separate in France, and ought to be so here also. No doubt, hon. Members might trace the 7,000,000*l.* after the money was gone; but he wanted to have the accounts looked into before the money was spent. But he would not divide the House; he thought this was one of those questions that were making progress.

Motion withdrawn.

NAVAL ARCHITECTURE.

Mr. HUME rose to bring forward the Motion of which he had given notice, for an—

"Inquiry into the state of the Navy since 1832, as regards the building, alterations, and repairs of Her Majesty's Ships."

The Motion, though comprised in two lines, comprehended the whole question of the system of naval architecture in this country, and the manner in which it had been conducted since 1832. He had no hesitation in saying that the system of naval architecture in this country, and the management under which it had been conducted during that period, had been most unsatisfactory. Unlike every other department in this or in other countries, matters had not been progressing from a bad to a good system, but had stood still, if they had not retrograded; and he should be able to prove to the House, and expose to the country, mismanagement to a great extent, entailing vast loss upon the nation in money, with great discredit in character. He must first take the House back to the period when the Navy Estimates were before them fifteen years ago. The right hon. Baronet (Sir J. Graham) was then at the head of the Admiralty, and had most unadvisedly put an end to the School of Naval Architecture, which had existed for about twenty-one years; he had also openly, in the most extraordinary manner, depreciated the characters of those who were then pupils in that school; and had committed himself to an opinion which could scarcely have been believed by any one who did not hear it—that he did not consider science could be applied in the way proposed in that school to the purposes of naval architecture; the right hon. Baronet stated that he thought a captain in the Navy was as good as any other person to conduct that department. He had not been aware that he himself had spoken so distinctly and strongly on the subject as he found that he had done; on the 29th of June, 1832, when the subject of Sir William Symonds' appointment came before the House, he stated that the appointment was most unjust to the

country, which would be deprived of the scientific skill that might have been available, and that our great naval power would be in jeopardy by being placed in hands utterly incompetent; that he did not wish to disparage Captain Symonds, who was a distinguished naval officer; and that he objected to him, not as such, but as Surveyor of the Navy—an office for which he was unfit, because he was ignorant of naval architecture. The report made in 1806 by the Commissioners on the Civil Affairs of the Navy showed a marked contrast between England and France in the application of scientific principles. There was no department of manufactures which in the present day did not afford numerous proofs of the great progress made in this respect. It was only in applying science to naval architecture that England was backward. He was prepared to prove his case before either a Committee or a Commission. The right hon. Gentleman the Member for Dorchester had stated when Captain Symonds was appointed, that Captain Symonds was entirely unknown to him, but had been brought under his notice as a man of talent. Objections having been stated to the appointment by himself (Mr. Hume), Sir Byam Martin, and others, the right hon. Gentleman expressed his confidence that when the Navy Estimates were brought forward the following year, it would be admitted that the experiment had been made most wisely. The right hon. Gentleman's words were—

"He was perfectly unknown to me, except in his profession, and I have selected him on account of the inquiries which have been made, and on account of the highly-approved ships which Captain Symonds has built. But I am perfectly ready to admit that the merits of this appointment are about to be put to what is the fairest test. There is a ship now ready for sea, built under his own immediate inspection, and I am quite willing that the merits of the appointment should rest upon the fate of that experiment. I am quite confident that when I shall meet the hon. and gallant Officer again on the Navy Estimates of next Session, he will admit that the result of that experiment has proved that this appointment was made most wisely."

His own opinion, on the contrary, was that it had been most unwisely made; that it had proved lamentably ruinous to the interests of the country; and that the time had arrived when it was necessary to arrest the progress of the evil. The right hon. Gentleman had also observed that he did not believe the Surveyor of the Navy was required to be a practical shipbuilder. Such were the views of the right hon. Gentleman. Before showing the nature of the school and the system which that right hon. Gentleman had destroyed, he wished to explain why the School of Naval Architecture was originally established. He had a strong sense of the injustice done to individuals by its abolition. A breach of public faith, indeed, had, in his opinion, been committed; for the young men who sought admission to that school came forward with qualifications such as those required of young men entering Haileybury College. Promises were made to induce them to induce them to qualify themselves for the public service. Expectations were held out, that offices of emolument would be opened to them, affording opportunities of acquiring distinction as well as of obtaining support. The Third Report of the Commissioners of Naval Inquiry, dated 24th of June, 1806, described the then existing system of education for shipwrights as exceedingly defective, and proposed to alter it, so as to secure the services of persons more liberally educated. The report stated—

"We find that apprentices are admitted at the age of fourteen; that at their admission many of them cannot read or write; few have much education. As apprentices they serve seven years; no care is taken to teach them anything during that time but their business as shipwrights. At the end of the apprenticeship they generally serve two or three years, working as shipwrights, after which time those reckoned fit for it are commonly employed as overseers of ships building in the merchant yards. In the whole course we have described, no opportunity will be found of acquiring even the common education given to men of their rank in life; and they rise to the complete direction of the construction of the ships, on which the safety of the empire depends, without any care or provision having been taken on the part of the public that they should have any instruction in mathematics, mechanics, or in the science or theory of marine architecture."

Such was the account of the state of naval architecture in 1806, and this was the remedy suggested:—

"To put an end to this want of foresight and due consideration, which may finally lead to so much danger to the country; to bring into our dockyards apprentices of more liberal education than has hitherto been required; to instruct them while there in mechanics, in mathematics, in drawing, and in everything connected with the science of naval architecture; to employ them during a portion of their time in working with the shipwrights, in the building and repairing of ships, so as to add the practice of the art of shipbuilding to the study of the theory; and, by these means, to enable them to form the plans of our ships of war consistently with scientific principles, and render them at the same time competent to judge of the labour that must necessarily be bestowed on the execution of every part of a ship, the

wages that by proper exertion may be earned by those employed on it, and the quality of the work when completed; these we consider to be amongst the most important parts of the duty which your Majesty has been pleased to commit to us, and we propose what follows as the best plan for the attainment of those objects, that, after the fullest attention, has occurred to us."

What followed? His Majesty's Government, in 1809, stated what were their intentions on the subject, and, in 1811, established the School of Naval Architecture. At that time, the state of science, as applied to naval architecture, was so greatly superior in France, that the only good ships England had in her service were copies of ships taken from other countries. Taking such considerations into account, and cherishing the spirit of Englishmen, who would not allow themselves to be dependent upon others, the Commissioners acted wisely in recommending, and the Government acted wisely in establishing, the School of Naval Architecture. When the Order in Council was issued on the subject, the prospect was held out that those who were studious and attentive would be rewarded in due time by appointments to the employments which existed in the dockyards. The Commissioners of Naval Revision recommended that the number of students should be so great as should be sufficient to supply the places of officers who might die or be removed. The situations to which they might aspire were the following:—Master Measurer, since abolished; Foreman of Shipwrights, Master Boatbuilder, and Master Mast-maker, now foremen of the yard at 250*l.* per annum; Assistants to Master Shipwrights, 400*l.* per annum; Mechanist in the office of Inspector-General of Naval Works, abolished; Civil Architect and Engineer, 800*l.* per annum; Assistants to the Surveyors of the Navy, abolished; Master Shipwright, 650*l.*; per annum; Second Surveyor of the Navy, abolished; Inspector General of Naval Works abolished; First Surveyor of the Navy, 1,000*l.* per annum. These were the prizes which were held out to the young men who should enter the service. The right hon. Gentleman had said the school had entirely failed. It was a proper matter for inquiry whether imperfections existed in the establishment; but why destroy it? What ship had been produced worthy of being called an improved ship under Captain Symonds? And what was the result when the pupils of the School of Naval Architecture were allowed to try their skill in the construction of ships? Complete success had, he believed, been the consequence. Yet after twenty-one years' service they did not receive any one of those appointments which Government had pledged itself to give them. The last Board of Admiralty had allowed them an opportunity of showing how their art and science could be applied. Let naval officers state what was their opinion of the *Espiégle* and the *Thetis*, as compared with the ships of Captain Symonds. Then there were at least five or six who had distinguished themselves by the knowledge they had shown of subjects immediately connected with the branch to which they had devoted themselves. Hon. Members, on comparing the principles laid down in the *Catechism of Naval Architecture*, by Sir William Symonds, with those laid down by pupils of the School of Naval Architecture, in their publications, would be able to satisfy themselves of the great superiority of the latter. The work of Chatfield seemed to throw the character and conduct of Sir W. Symonds, as a naval architect, into the shade. When had a better treatise been produced than that on masting by a pupil of the same institution? Where had papers appeared like those of Mr. Cruize? The right hon. Gentleman, indeed, had thought proper to put an end to the publication of those papers, which had proved so beneficial. Having ascertained the total number of ships built since 1832, and having obtained, so far as he could, the history of each ship, he was prepared to prove that in almost every instance there had been a failure in construction; that the objects required in respect of stowage, floatage, fighting—everything requisite in a ship of war—had in the great majority of instances been completely missed. Then the alterations were interminable; the expense was enormous; and scarcely any of the ships answered the purpose for which they were built. Such being the case he wished to bring his charge, not against Sir W. Symonds, but against the Admiralty, who had allowed such proceedings. Could it be said that they had exercised a sound discretion? One of the statements in his possession set forth the amount of money voted for wages and naval stores during fifteen years. If it had been properly applied, he should have thought little of the largeness of the sum, which amounted to 22,000,000*l.* He was prepared to prove that a large portion of that had been wasted. Since 1833, 8,000,000*l.* had boen voted for wages, and 14,000,000*l.*

for naval stores; making 22,000,000*l.* altogether. Deducting the votes for 1847, it appeared that, under Sir William Symonds, 19,900,000*l.* had been expended. The statement as to the ships laid down during the same period showed the following results:—

Ships of the line, on Sir W. Symonds' design, laid down since 1832	9
On designs by the former Surveyors, laid down in 1812 to 1828	10
On the French model of M. Sané	1
Total launched	20
Frigates, on designs by Mr. Fincham, laid down in 1843	1
On Sir W. Symonds' designs, laid down since 1831	15
On designs by the late Surveyors, laid down in 1820 to 1828	6
On the French model of Pestal, laid down in 1828	1
On design of School of Naval Architecture, laid down in December, 1844	1
On design by Admiral Hayes, laid down in 1836	1
On design by Captain (now Admiral) Elliot, laid down in 1842	1
Total launched	26
Corvettes, on designs by Sir W. Symonds, laid down since 1834	4
On designs by the late Surveyor, Sir R. Seppings, laid down in 1830	1
On designs by Professor Inman, laid down in 1827	1
On designs by Captain (now Admiral) Elliot, in 1836	1
Total launched	7
Brigs, on designs by Sir W. Symonds, laid down since 1831	24
On designs by Captain Hendry, R. N., laid down in 1842	1
On designs by different Master Shipwrights, 1843	3
On designs by School of Naval Architecture, 1843	1
On designs by Private Builders, laid down in 1831, one—in 1843, one	2
Total	31
Brigantines, on designs by Sir W. Symonds, laid down since 1835	3
On designs by Sir R. Seppings, laid down in 1829	1
Total	4
Packets, on design by Sir W. Symonds, laid down since 1832, and launched	9
The following ships were building or in progress:	
Ships of the line, on Sir W. Symonds' models	19
On French model of Sané	1
By Mr. Lang	1
By School of Naval Architecture	1
By the late Admiral Hayes	1
Total	23
Frigates, on Sir W. Symonds' models	10
Mr. Fincham	1
Mr. White (private builder), Deptford	1
Mr. Blake (late master shipwright), Portsmouth	2
Mr. Lang, junior, Woolwich	1
Total	15
Corvettes, on Sir W. Symonds' model	1
Brigs, on Sir W. Symonds' model	11
Brigantines, on Sir W. Symonds' model	1

The steam navy was not included. The charge was, that failures in building ships had taken place to an enormous extent. Scarcely one ship had been laid down by Sir W. Symonds which had turned out other than a failure. The *Vernon* was the first great ship, and had already been made a subject of remark in that House. On the 4th of March, 1842, Captain Rous

—"condemned the *Pique* as a bad sea-boat, and not a good ship at her anchors. She floated one foot deeper than the calculation, with only four months' provisions (he commanded her). She shipped so much water as to wash away her head-rails, and put four feet water on the main-deck. Obliged to be put two feet by her stern to make her dry and easy. He said the *Vanguard* was endeavoured to be improved from this. His steamers would be swamped if caught in a heavy gale of wind. (The *Gorgon* he referred to)."

With regard to the *Vernon*, he was prepared to prove that in the first cruise, under Sir F. Collier, she pitched so heavily that she even broke off her head-rails short, leaving the fastenings secure, and the quarter-gallery from the stern; her laboursome qualities were fearful. When she bore the flag of Sir G. Cockburn, she pitched her bowsprit-cap into the sea, and shipped so much water in the forecastle that it ran down to the gunner's-room below, and nearly drowned his mate; the seas she was accustomed to ship at her fore-channel on the left of the bow when dipping into the water before she was able to rise again, ran aft to the quarter-deck; her lines were similar to a frigate constructed more than fifty years ago, and found not to answer. In fact, she was the copy of an old French vessel that had been tried, and had completely failed. He, therefore, said, that the right hon. Baronet, in getting hold of Captain Symonds, rested his merit—if any merit he had—upon a test which had completely failed. He thought he could show that, in 1831, Captain Symonds stated he knew nothing about shipbuilding, and that the *Pantaloon* was built on lines supplied to him by another. He was then unworthy to take the place of men whose education had fitted them for the duty, and who had subsequently proved

themselves good builders. He (Mr. Hume) thought, also, he could show that Sir W. Symonds' ships had completely failed in their object, when he said that almost every ship built for the East India Company's service, and for private merchants, had floated and answered, without material alterations; whilst almost every ship built by Sir W. Symonds had required alterations and improvement. With respect to the *Queen*, which was laid down as a 110 gun ship

—" she was first laid down as *Caledonia's* class, and called the *Royal Frederick*, 120 guns, a new midship body given, and the extreme breadth increased to sixty feet, besides other expensive alterations. The great error of this ship's construction was, her want of displacement at the load-water line. Six feet additional breadth increased the weight of hull most materially, certainly close upon 200 tons. The load displacement remained nearly the same as the *Caledonia's* class; consequently when all the stores and equipments were placed on board, the midship-port was but six feet five inches from the water, instead of seven feet. This ship, by the reports of Sir E. Owen and Captain Rich, did not fulfil the great expectations anticipated, and on most occasions she was beaten by the *Rodney;* besides, the reports on her steerage were very indifferent, carrying lee helm. In 1844, so far as sailing went, when she came from Plymouth she was beaten by the *St. Vincent;* but this failure was trifling when compared with other failures. A trial was made between the *Queen*, the *Caledonia*, the *St. Vincent*, and the *Albion*, and the result was altogether unfavourable to the *Queen*."

The first portion of the report respecting the ships of Captain Symonds was probably correct, and that they were good ships in smooth water, fair weather, and when lightly loaded; but what was their worth when laden with stores and guns and altogether fit for service? They were then found to be lamentably defective. This ought to have induced the Admiralty of the day to have instituted an inquiry, when they would have ascertained the erroneous principles on which these ships had been built. After the trial, the *Queen* was brought into dock at Chatham. Alterations were made which cost nearly 10,000*l.* : the midship magazine was taken away; the rudder enlarged ; she was lengthened forwards and aft; the masts were shifted ; the foremast moved aft three feet, and the mainmast fourteen inches ; nearly two feet given to the sternpost, besides throwing out the stem eighteen inches, and four feet additional forefoot, up to the load-water line. These alterations amounted to nearly 9,000*l.* The subsequent trial showed that these alterations had somewhat improved her; but the question was, whether the removal of the mid-ship magazine did not effect all the good by throwing the proper weights in the centre of the vessel; yet the bow was lengthened, the rudder extended, the masts were altered, and, indeed, there was scarcely a portion which was not altered, and yet the Admiralty of the day allowed all this to be done without complaint. He said, that when individuals pointed out these errors, it was the duty of the Admiralty of the day to ascertain the principles on which Captain Symonds had laid down his ships. He wanted to see whether there was any Minute for allowing the expenditure of this 10,000*l.* or 20,000*l.*, and showing its application; for if the Admiralty did allow it, and did not test its efficacy, they did not do their duty. It was difficult, therefore, to know which party was most to blame; and for this very reason it was important to appoint a Committee. A great deal had been said about the *Vanguard*. She had been praised on all hands, and had been held up as perfect. He had gone on board of her at St. Helens ; she swam prettily on the water. He was not a naval man, but he was told that she was perfect. Whilst she was a sailing yacht she did very well; but when she got her crew and stores in, it was very different. She had been praised and held up by all parties nearly, until the late trials in 1845 and 1846, as the most wonderful vessel ever constructed. He recollected Lord Minto declaring her to be perfection. Admiral Bouverie reported her equal to carry six months' provisions with great ease, with upwards of 400 tons of water; and her other qualities not to be surpassed, never straining a rope yarn. But what had turned out to be the fact? After the first trial in 1845, in the summer months, and a few months from the Devonport dockyard, we find she was ordered to Portsmouth to be docked; when docked, the nails of the second streak of copper were forced out by the working of the ship; and, in two instances, the copper was split, where the oakum had been forced out of the seams in consequence of the rolling and pitching, and she was compelled to be caulked all over. In this trial the *Vanguard* was invariably the last ship, beaten by every ship of the squadron. Sometimes the *Superb*, a sister ship, disputed the place of last. In this cruise the *Vanguard* went to sea under Admiral Parker as follows: twenty-three feet seven inches forward, twenty-four feet five inches aft, midship port, twenty-seven feet one inch; mean,

twenty-four feet. This return shows seven inches deeper forward, and five inches deeper aft; yet she swims one inch higher out of water by the midship port than the construction drawing in the same Parliamentary return. This draught of water was with twelve months' stores, 140 days' provisions, 384 tons of water—twenty-eight days less of water and provisions than any ship of the squadron. [Captain Berkeley: What are the hon. Member's authorities for these statements?] He would prove them before a Committee. He would come to the hon. Captain himself presently, and show that the Admiralty was speaking without book. The cost of the *Queen* appeared by the returns, No. 592, of the year 1846, and the House would scarcely believe that her whole cost had been 127,000*l.* The sum of 81,000*l.* appeared by the return to be the cost of the hull, and he was prepared to prove that this was understated; the total cost, with the fittings, was 95,000*l.*, she had been repaired three times, and the aggregate cost was not less than 127,000*l.* What was the case with respect to the *Vanguard?* The first cost of the hull was 62,000*l.*, and of the hull and rigging 77,000*l.*; and would the House believe that up to November, 1845, not less than 111,000*l.* had been laid out on that ship? This arose from the changes which had taken place, and the bad management which had gone on. He knew that there was a difference of opinion on these matters; and it was because of this difference of opinion that he should be glad of the opportunity of proving his case before a Committee. The return clearly showed that the draught of water did not answer. There was another sailing ship in the Portsmouth yard, the *Prince Albert* of 90 guns, and he was prepared to prove that she was totally unfit for duty.

"Her frame was badly constructed, weak shift of timber, and inefficient stern, a mere bundle of wedges confined together by long iron bandages round the exterior of the timbers, producing extreme weakness at the after-end of the ship."

This displayed great want of professional experience, and also of the principles of construction. In Woolwich yard, the *Boscawen* was completed in frame and well seasoned as an 80-gun ship. She was then ordered to be taken down and altered to a frigate in November, 1832, on the lines of the *Vernon*, to be called the *Indefatigable*. The order was cancelled in April, 1834, and another given to make her a 70-gun ship, retaining the name of the *Boscawen*, but causing great consumption and waste of timber. New timber was mixed with the old, &c. After this, part of the bow was taken down and altered in June, 1840. She had originally an upright stem and round bow. They were afterwards taken down, and the stem made to rake, and given a sharp bow. The stern was reconstructed, and put up a second time, with about two feet less rake than before. This ship had cost the country an enormous sum of money for so many alterations, and was still a poor specimen of naval architecture, although she had had an improved stern, from the model settled by the committee of master shipwrights assembled at Woolwich in 1842, similar to the plan of the *Trafalgar*, built there on Mr. Lang's principle. Here was a ship which had gone through five or six changes at an enormous expense; and all this had been done by the order of the Surveyor, and had been permitted by the Admiralty; and he asked whether this was a state of things with which they should be contented, or which they should allow to continue? There was the packet *Cygnet*, at Portsmouth. Her stern and topsides were taken down; she was rebuilt for a 10-gun brig, but carried only 6 guns. The *Heroine* was the same as the *Cygnet*. She was built for 10 guns; but after she was completed, her stern was taken down and altered. She mounted only 6 guns. The *Siren*, of 16 guns, had her stern taken to pieces and altered, and her quarter galleries taken off. She had still too much rake in her stern to use her guns clear. He was now showing the works of an officer who considered science to be of no consequence: these were the defects consequent on the right hon. Baronet's change; and he defied any one versed in naval architecture to go to any part of the world and find such changing and taking to pieces. The packet *Express* was built by contract in the river. She was taken into dock, and a large piece brought on to the fore part of the stem and gripe below, to make her stem more upright, the same as was done to the *Queen*. The *Swift* was built also by contract, and underwent similar alterations. The *Star* was built at Woolwich, and was so badly constructed that she rolled away her masts, and laid on her beam-ends; and her commander, Lieutenant Binhey, with all the men on deck, were washed overboard. The commander and fourteen men were drowned. The *Hannibal*, 90 guns, ordered to be

built, had some faulty construction, bad stern, and weak shift of timbers composing her frame. These ships hon. Members who knew nothing of shipbuilding might think were exceptions; but he would show that the same thing took place in other yards. In the Chatham yard, there was the *Wolverine*, of 16 guns; when completed in frame, her bow was found too sharp, and to fall in, and was taken down, and a new bow put up. The *Wanderer*, a sister ship, underwent similar alterations. The *Orpheus*, of 46 guns, had a frame provided, but it was transferred to other ships. The *Cumberland*, of 70 guns, was commenced building like the *Boscawen* when altered, namely, with raking stem and sharp bow. She was afterwards lengthened on the keel, to make the stem upright, and the bow made round abaft, like the *Trafalgar*. It was worthy of remark, that the *Boscawen* was originally an upright stem, and round bow, for which reason her whole frame was taken down, and her stem made to rake, and her bow formed sharp. Exactly the reverse, therefore, was done with these two ships; and it was thus that the best interests of the country were dealt with. The *Goliah*, of 80 guns, had a sharp bow like the *Vernon*, and raking stem; after being in frame, her stern was taken down and altered, timbers cut off, patched up with iron bandages, bound round to keep together that which, if properly constructed, would have united with the frame, and have supported itself without iron bands, and given strength to the fabric. If he proved this single case, he showed the incapacity of the Surveyor, and the fault of the Admiralty in permitting such things to take place. The *Mars*, 80 guns, was at first designed as the *Goliah* and *Vanguard*, with a sharp bow and raking stem; she was altered to a round bow and upright stem. He had given these instances, because he was anxious that the Committee should have proved before them whether he was in error; but he believed that his statements were correct, and he was prepared to stand by them. The *Serpent*, 16 guns, was built in the river in a hurry, for experiment, by contract; she soon became rotten, and underwent considerable repair; and the *Snake*, 16 guns, which was built at the same place, and in the same manner, had also had extensive repairs. It was important to show whether it was better to build ships in private yards, or in Her Majesty's dockyards, though he was inclined to the opinion that it was better to build them in Her Majesty's dockyards, where all facilities could be afforded. In the Pembroke yard there was nothing but chopping and changing. The *Vanguard*, 80 guns, was hurried off without giving proper time to season, and soon became defective; she had a large expensive refit at Portsmouth, and the ship kept in commission while it was performing. The *Collingwood*, 80 guns, sister ship to the *Vanguard*, with sharp bow and raking stem, was afterwards altered to a round bow and upright stem, similar to the *Trafalgar*. In the Plymouth yard, the *Statira*, 46 guns, was completed in frame and plank, beams, &c., provided, then broken down, and the materials disposed of, for some other purposes, to Pembroke yard. The *Tigress*, of 46 guns; the *Daphne*, of 20; the *Porcupine*, of 20; the *Pheasant*, of 18; the *Redwing*, of 18; *Sealark*, of 10 guns; and the *Volcano*, *Devastation*, and *Beelzebub*, bomb-vessels, had their frames cut out, but the timbers used for other purposes, with loss of time, work, and much extra expenses. The *St. George*, 120 guns, and the *Hindostan*, 84 guns, were launched before they were properly completed, to make room for two 90-gun ships, of bad construction, weak shift of timber, and inefficient stern — the *Aboukir* and the *Exmouth*. He held in his hand papers which would show the vacillating conduct of the Government; that they were planning one day, and altering another, without having any certain object in view. He found that the *Flora*, 36 guns, had had her stern taken down and altered, but was still very bad; the *Albion*, 90 guns, when completed in frame, had had her stern taken down and altered, but was very faulty still. The *Aboukir*, 90 guns, sister ship, had an equally bad stern, and weak shift of timbers. The *Exmouth*, 90 guns, same class, ditto. The *Creole*, *Niobe*, and *Amethyst*, 26 guns, had had the frames partly cut out, similar in form to the *Spartan*, which ship was so deficient in capacity in after body, that she required the ballast to be placed in the coal-hole, before the fore hatching, with as much stores forward as possible; but that in bad weather would make her a very uneasy ship. The *Union*, 98 guns, was taken into dock for repair, then ordered to be made a 74-gun ship; was taken to pieces in dock to be rebuilt on a slip, and removed for that purpose; ultimately she was not rebuilt, and her materials disposed of some other way: this in-

curred expense, and the loss of a first-rate to the service. He would now read to the House a list of ships that had been sacrificed to the service, that had been condemned and sold off; although if proper measures had been taken, and there had been a proper surveyor, they might have been saved. The first was, the *Scarborough*, 74 guns, built by Sir R. Seppings. She was only a few months at sea, condemned at Sheerness by Sir W. Symonds, on Mr. Finehorn's report. Her housing all over in a superior manner. Sold out of the service for 6,000*l*. Taken to pieces in the river Thames in March, 1837. Found to be a sound good ship, requiring very few defects to be made good; in fact, was in excellent condition, and worth upwards of 40,000*l*. The next was the *Thames*, 46 guns, was built by Sir R. Seppings' copy of the *Hebe*, a new frigate, never at sea, roofed all over, launched at Chatham, condemned there, and made a convict ship at Deptford, and sent to Bermuda as such, sound, dry, and in good condition. The *Hebe*, 46 guns, was built by Sir R. Seppings' copy of the French *Hebe*, new frigate, never at sea, launched at Woolwich, roofed all over, condemned on report in the Medway, made a receiving ship at Woolwich. The *Redoubtable*, 74 guns, was built by Sir R. Seppings, Ineker, and Peake, the three surveyors—a good ship, never at sea, condemned upon report at Chatham, and broken up in dock at that yard, to the astonishment of all who saw her, having very few defects. By these and similar proceedings, the Navy had been greatly depreciated (exclusively of ruining ships and hulks) from January 1830 to 1841. He held that the efficiency of the Navy was very much injured by such a system; and although it was true that a vast number of ships had been built, yet the service was much damaged by losing those vessels. He was also informed that the masting of the ships, and the plans on which they should be masted, had not been at all attended to. Certain scales for masting had been laid down in the several dockyards by the late Sir R. Seppings; but notwithstanding that, larger masts had been placed in our ships than they were capable of bearing, and they were obliged to cut them down when in the Mediterranean. Although this had been done, there were no reasons given for it, and no results in order that the Admiralty might judge how far those alterations had been attended with benefit to the vessels. The efficiency of the Navy had also considerably diminished, by the Surveyor compelling all ships (although not on his plan) to take masts and yards of larger diameter and less length than formerly—having made a set of masts and yards for each rate of his own ship—which, from their extreme breadth require excessively large diameter spars (as they roll all others away); he makes the ships also that are not on his plan, take the same, and this he calls classifying the Navy—see old class 74-ships, 18-gun brigs, &c. But there were other parts of the service to which he must also allude. It was important to know whether the Surveyor had done his duty, or the Admiralty had seen that he had done it. The hon. Gentleman the Secretary for the Admiralty, had sent him a copy of the instructions given to the Surveyor, and he found that those instructions were partly as follow:—

"1. You are to prepare, for their Lordships' consideration, drawings of such ships and vessels as may be ordered to be built by you."

"6. Having been put in possession of the number and classes of ships to be employed in the course of the year, and having made yourself acquainted with the state of the fleet in ordinary, which you are to do by a strict examination once in the course of the year, you are to submit, for their Lordships' consideration any alteration that may appear to you advisable of the number of artificers and workmen in the several dockyards.

"You are also to examine and report to the board what ships are worn out, and what shipbuilding stores are so deteriorated as to make it advisable to put both up to public sale, or to take the ships to pieces.

"The reports of all surveys of Her Majesty's ships by the officers of the yards will be laid before you; and from them and any other information you may be able to collect, you are to consider and submit your opinion of the propriety of either reprieving, selling, or taking them to pieces, as from the circumstances regarding their condition, the expense of repairing, &c., may appear to you most expedient.

"When projects for building ships, for alterations in their masts and yards, and, in short, all proposals that have relation to any of Her Majesty's ships or vessels, are submitted to you for your opinion, you are to communicate the same in writing, with your reasons for approving or objecting to such proposals."

By these instructions the Surveyor was to make an annual report to the Admiralty; but if he was rightly informed, no report had been made since 1841; and even that one made to Lord Haddington, had not been produced, because it pointed out how much many ships had been injured by neglect, and how much expense had been incurred by wanton changes. [Mr. Corry: A return is made every year.] Where were they then? They were not to be seen, and

he wished to have those returns laid before the House. In the year 1803, Sir W. Rule and two other gentlemen were surveyors; but in the year 1832, a change took place in the Administration, and Sir W. Symonds was appointed sole surveyor. He certainly was a naval officer, but was altogether ignorant of the science of naval architecture, yet was still considered sufficient for so important an office. If he were able to prove that due inquiry had not taken place into this department of the service, and if he could show the public had suffered great injury in consequence, he thought his case would be made out. It would be seen that the Admiralty had given orders to stop and proceed with several ships in such a way as to show the greatest indecision. That was particularly observable in the case of the *Exmouth* and the *Aboukir*. By a return which had been laid before the House, he found that on the 9th of December, 1844, orders were issued by the Admiralty to stop the building of the *Exmouth* and the *Aboukir;* that alone would prove the distrust of the Admiralty in the Surveyor, and yet they had not the courage to remove him. First, they appointed a commission of master shipwrights to report on his plans. Then they appointed a second commission, which made a report also; and on the recommendations contained in that report the ships which were then in course of construction were ordered to be stopped, because they were all laid down on the lines of the *Albion;* and she rolled so much, and behaved so badly, that it was thought improper to proceed with them. He had there a diagram, which showed the rolling of that ship, and on looking to that, it was really wonderful how any man could keep on her deck in security. The *Aboukir* was then three-eighths completed; and the *Exmouth*, according to their dockyard arithmetic—which was as barbarous as their shipbuilding—two parts and a quarter of an eighth. [An Hon. MEMBER: Merchant builders calculate in the same way.] But that was no reason why they should follow a bad example. In this condition the ships remained in 1844. In 1845 and 1846, nothing was done; but in 1846 and 1847, without any general order, except placing them on the list, they were ordered to be advanced. Now, as they had been stopped by a special order, he conceived they should have been advanced by a special order also. In February, an order was given to advance the *Aboukir* two-eighths, and the *Exmouth* three quarters of one-eighth. On the 28th March, orders were again issued that the works should be suspended. In a very few weeks the works were renewed; and they were now going to lengthen those ships, and launch them. There was a history to do credit, or discredit rather, to any body of men who ever allowed themselves to be bamboozled into neglect of their duty. It might be supposed that all these remarks were true of sailing vessels only; but he had also a list of failures in steam vessels for the House. He found that when Sir W. Symonds started, he had, by Admiralty order, the drawing of the following steam vessels as a guide for his own construction, namely, the *Comet, Lightning, Meteor, Pluto, Flamer, Firebrand, Firefly, Spitfire*, and *Medea*, from which his first production (assisted by Mr. Edye) was the *Gulnare*, increased in breadth from the *Comet*. His first vessel, the *Gulnare*, failed—too deep and very slow; her power was then increased to obtain speed, many alterations made in her fittings, &c.; and to cover these mistakes, her name changed to *Gleaner*; but still being too deep, was sent to Chatham, cut into two parts, and lengthened; still a failure, very slow and very deep—could not carry her coals and stores. This was a bad beginning, and a bad specimen of steam construction. The *Blazer* and *Tartarus* were the next two built — both failed. Their engines and boilers were taken out, and new ones made of increased power. These vessels were laid up useless ten months, during the time the alterations were going on. *Hermes*, the next built, rolled and pitched to such a degree, that she was also sent to Chatham in May, 1840, to be cut in two parts, and lengthened two feet at the keel and twenty feet on deck, She had since had an upright stem and additional power, with other alterations. *Volcano*, a sister vessel, had the same propensities of rolling, &c. She plunged her bowsprit into the sea, and lost her jibboom and jib in the ocean, as she could not bring them up again. *Gorgon*, built at Pembroke; intended to carry guns, but found to be so deep in the water, the ports were obliged to be caulked in, copper on the bottom raised, and her power increased. The *Cyclops*, a sister vessel, in consequence of the *Gorgon* failing, was lengthened to remedy the evil, but could not carry the guns intended, being still too deep in the water. After these and other repeated errors, he has

increased the length of his steam vessels, and altered their forms. The *Devastation*, and that class of steamers, have been brought up to the same proportion of length as the *Medea*, and their figure made to assimilate more to that vessel. He now came to the Royal yacht. He was one of those who, when Sir R. Peel made the proposal for building that yacht, was of opinion that there were so many yachts that there was no occasion for any more; but they were assured by the Government that it would be made at very little additional expense, and that in case of war it might be converted into a war steamer if necessary. But what was the result? This was the last that was built after all their experience. A very dull man might become a shipwright in fifteen years; but still there was displayed about that vessel a want of scientific knowledge—a want of knowing what the effect of displacement, fore and aft, in relation to the ship's figure, was, that had been the cause of all the Surveyor's failures. This Royal yacht was so imperfectly constructed, that she was obliged to carry 120 tons of ballast towards the stern; and when she was launched, she sank her head into the water with her stern up like a duck diving. She would not answer her helm, and had been altered again and again; but he wanted an account of those alterations. He believed that she had cost 100,000*l*. That was the last act of Sir W. Symonds. Whether the Admiralty had examined the line, or had taken any opinion upon it, he could not tell; but there seemed to be a kind of compact between the Admiralty and the Surveyor. Such a mode of conducting the affairs of a great department, was a discredit to any country. But he had not yet done. The *Lizard*, 150 horse power, a packet, iron steamer, built by Sir William Symonds, commissioned at Woolwich in 1842 by Lieutenant Macdonald, was nearly sinking in the basin from the weight of her stores; and all her stores, officers, crew, guns, &c., were turned over to the *Spitfire* of the same size, but constructed by Mr. O. W. Laing, jun., and now in the Mediterranean. The *Spitfire* took them all with heavier guns and double the quantity of coals, besides many other additions. The *Spitfire's* engines were old and very heavy, compared with the newer make in the *Lizard*. There were many similar instances of failure, also of falsification in that return. The *Lizard* required to be altered, and lighter guns and fewer stores than were originally intended for her. But he would now turn to the official report of Captain Lushington, of the *Retribution*, of her putting back into Plymouth after the gale (on the 6th or 7th of June, 1846), when she washed her shot out of the racks about the neck; and his and Captain Ramsay's reports of his last trial with the *Terrible* (about the 2nd or 3rd of July, 1846), would show the complete defeat of the *Retribution*.

"Captain Ramsay reported of the *Terrible*, of June, 1846, that in towing the *Etna*, under sail alone, proved her great capabilities, without steam; and his reports of the 26th of July, 1846, on firing her guns, and comparative consumption of coals, also for the 9th of October, when loaded with provisions from Malta, show her great superiority. Sir W. Parker's and Captain Ramsay's reports of the 20th of October, 1846, of the *Terrible* towing the *Hibernia*, a first-rate ship, and in October or November, 1846, her sailing into Cadiz without her main-topmast, bearing the greater part of the fleet, although her floats were not taken off, confirmed her good character. The *Terrible* was constructed by Mr. Laing in 1845; she is a two-decker; was built at Deptford under very unfavourable circumstances — the timber, &c., having to be carried there, as it was the first opening of that yard, with no materials or workmen on the spot. The *Retribution* was constructed by Sir W. Symonds, has only one deck, and is 200 tons less than the *Terrible*. She was built at Chatham under favourable circumstances; but has cost, since her building, a very considerable sum in alterations, &c. She was designed for two decks of guns, but could not carry them, being too deep (her lower deck ports were caulked in). On the contrary, the *Terrible* carries her lower deck guns, and can use them, from her great stability, even when the three-deck line of battle ships dare not open their lower deck ports. The *Terrible*, with the same power, consumes considerably less coals than the *Retribution*, which is a much weaker ship, and badly put together. The *Terrible* was, comparatively, the cheapest steamer in the service, as she had most fully answered all the purposes for which she was built, without any alterations."

The report went on:—

"Neither the *Retribution* nor any of Her Majesty's war steamers can compare with the *Terrible* in any one point at sea, nor in their build. The *Terrible* has not altered nor strained in the least, but is as strong and as perfect as the day she was launched. The advantages of the *Terrible* are stated in the reports of Captains Lushington and Ramsay. The *Avenger* was built by Sir W. Symonds, in 1846 — a still less ship than the *Retribution* — but cost considerably more in building than the *Terrible*, besides expenses afterwards; and she is still inefficient."

He thought he had stated enough to show there had been, at any rate, great irregularity in that department of the service; that large sums of money had been expended, no one knew how; and that it was full time to step in and stop that extra-

vagance which, hitherto, had had no proper control. The Committee of Reference had not, in his opinion, the proper qualifications for their office; but their appointment showed that the Admiralty doubted the wisdom and authority of Sir W. Symonds. The Commission of 1842 were, he believed, all shipwrights; and they all reported on the Surveyor's ships. Where were those reports? Let the House have them, and he believed it would be found that they condemned those ships entirely. He did not blame the present Government; for he believed they had been very anxious to remedy those evils, and to appoint a Commission of Superintendence. But what use was that? The head of the Commission was certainly a very able man; but what education had his assistants? [An hon. MEMBER: They are all naval schoolmen.] Yes, that might be so; but what was the use of them, if they were placed under the Surveyor of the Navy? The present system was clearly imperfect, and the recommendations of the Commission of 1806 could not possibly be attained by such means. The next point he came to was that of expense. The cost of those vessels, too, had been enormous. By a return which was moved for by the hon. and gallant Officer the Member for Marylebone, he found that the *Queen* cost 127,000*l.*, and the *Trafalgar* 114,000*l.*; but he believed the valuation was made in the time of war, when the whole charge was at war prices. The next ship, the *Albion*, which was to be the example and pattern of all others, up to the 1st of March, 1846, had cost 104,048*l.* The *Rodney* cost 145,000*l.* It was originally a better ship than the *Albion;* but 17,000*l.* had been expended upon her in alterations, and she had been spoiled. The *Vanguard* cost 111,000*l.*; the *Penelope* 101,000*l.* Those were large sums of money; but it was not so much the money as the system he complained of. He believed, however, that many of the returns that were made to that House were manufactured in the Surveyor's office. He remembered that in 1835, when a charge was made against Sir R. Seppings of using timber improperly, the right hon. Baronet then at the head of the Admiralty read a statement from a Mr. Hawkes, of the dockyard at Pembroke, on the subject. That statement was contradicted at the time; and afterwards, when he made inquiry, he found that the statement was not sent by any authority of the dockyard, but that it was entirely forged. He considered this, however, as entirely a question of education. It was, indeed, a reproach, that, after they had had the evils pointed out so clearly by the Commissioners in 1806, not more had been done in that respect. Those Commissioners pointed out the way in which the young men of France and other countries were educated for the purposes of their Navy; and when they had become possessed of some of the best models of foreign ships which afterwards became the most striking vessels in the service, he had hoped that at no very distant day they might have built ships equal to them; but instead of attending to that point they had entrusted the Navy to quackery. The details he had laid before the House showed they had been impairing their Navy the whole of that time; that they had left it to one, who was certainly a naval officer, but who possessed no science or education; and looking to the fifteen years which had gone by since his appointment, he (Mr. Hume) certainly thought the time was come when an inquiry should take place, that all doubt on the subject might be removed. He wished to see a proper scale of education adopted, on a system worthy of the country. He understood that some such scale had been established in the dockyards; but it had never produced the amount of information, or that character among the men, which they wanted for the protection of the country and the welfare of the Navy, and for the character of the country. He knew that different interests were connected with this subject; he had heard this and that naval officer bandy about the merits of this or that Surveyor of the Navy; that alone showed great contrariety of opinion; and he, therefore, thought they ought to have an inquiry into the present system, to see what was the most beneficial course to be taken in future. Upon that ground he moved for an inquiry into the state of the Navy since 1832, as regarded the building, alterations, and repairs of Her Majesty's ships.

VISCOUNT INGESTRE, in seconding the Motion, said it was no little satisfaction to find that this matter was made the subject of a distinct Motion, and not introduced upon the Naval Estimates, and when the House would be only attended by professional Members; when, in fact, the subject was one which should interest all the representatives of the people, because affecting a department of such great importance as that to which was confided the building of proper ships for their Navy;

such a subject, he said, he said, was worthy of the greatest attention of every Member of that House. It was hardly fair, he said, of them to call upon their seamen to take their places in inferior ships, in such ships as it had been repeatedly stated in that House had been building in their dockyards for a number of years back. He must say that he heartily thanked the hon. Member for bringing the subject before the House. That hon. Member had gone into such details, that the House, he was sure, would be glad to hear that he would not attempt to follow the hon. Member in repeating these various details. Still it was necessary for him to make a few observations; and in these observations he hoped that the hon. Board of Admiralty would understand that he did not in any way imply censure upon them, nor upon any particular individual. That which he wished to say applied to the system which had been going on for a number of years, and which he contended was one that was totally inadequate to supply proper ships to the Royal Navy. If fault were to be found with any one, it was with the Board of Admiralty, and especially the right hon. Gentleman behind him (Sir J. Graham), because it was by that right hon. Gentleman that the Surveyor of the Navy had been appointed, without ascertaining whether or not he was capable of performing the duties of his office. To appreciate the beautiful form of a ship, was not sufficient for such an office; for if the propriety of that appointment were to be tested by the success of the *Vernon*, as the right hon. Gentleman had told him, in answer to a question he had asked him in that House in 1832, then it must be admitted that the appointment was one which had most signally failed, inasmuch as that ship had proved herself to be, though presenting a beautiful battery, a most uneasy ship in bad weather, thereby making that battery comparatively useless, as also a most expensive ship in wear and tear. He had on more than one occasion shown that the duties of a Surveyor of the Navy were more than one man could satisfactorily perform. His duty was to examine the stores; to examine the timbers that came into the yards; and not to employ himself entirely in the designing and altering ships, as the present Surveyor had been doing. The first thing that ought to be shown on such an occasion as this was, that there had been no profusion and no useless expenditure. The hon. Member for Montrose had shown what had been the expenses on several ships. He then should merely state that up to 1845 there were 1,356,000*l.* used upon ships that had been constructed, or that were in the process of construction. There was an almost similar sum as to steamers. Now, if this system were a good system, or if there were any fixed principle, he might venture to ask what could be the necessity for constant changes in almost every ship that was constructed? It was only a day or two ago he had received a letter from a distinguished officer, Captain R. Burton, which he should now trouble the House with reading:—

"15, Park-square, April 27, 1847.

"My dear Lord Ingestre—As the merits of Sir W. Symonds' intuitive mode of constructing our ships of war has nothing to do with politics, but is solely and exclusively a national question of vital importance, and as it is possible there are some Gentlemen within the walls of the House of Commons, as well as without, who may be still sceptical as to the results from dear-bought experience, I beg to acquaint you that the *Albion*, which is the model on which several 92 gun ships have been built, and are in the course of building, was originally intended to carry 68 pounders; but, in the absence of any accurate calculation of the displacement, when she was launched she sunk so considerably deeper in the water than intuitive foresight could divine, that it has been found necessary to substitute the much lighter calibre of 32 pounders.

"With this light armament, and all her stores, water, and provisions in, she has rolled forty-five degrees.

"Now, in place of sending this ship, which was to have been the model of a numerous progeny, to be tested as to her capacities, in the summer months, off the Sole Bank to the westward of the Scilly Islands—had she been sent off to the Black Rocks, or into the Bay of Biscay, from the end of November to the end of March, to have undergone, as she ought to have done, the severe test of the winter months; I leave you to judge, as well as every scientific nautical man in England, what would have been the probable result had she experienced a severe gale of wind, with all her water, provisions, and stores below the centre of gravity nearly consumed, and had she had her heavy armament of 68 pounders remaining above the centre of gravity. For my part, I have no hesitation in saying the chances are very great that she would have rolled over. For the mathematical question resolves itself simply into this—if, with a much lighter armament, and all her provisions, water and stores on board, she rolled forty-five degrees, what would have been the probable results with the alteration in the centre of gravity, when the weights should be greatly increased above, and those below dimished to a vast extent by consumption?

"The mode in which ordnance are tested is by a large increase of powder, for it is evident if they bear this proof, no risk can be incurred from the ordinary charge used in action.

"The converse has been the ordeal which the

Albion has undergone; and what makes this the more unpardonable is, that this ship was to be the model from which so many ships were to be built, at such an enormous outlay of the public money.

"Believe me, my dear Lord Ingestre, very truly and faithfully yours,

"J. Ryder Burton.

"The Viscount Ingestre, M.P.," &c.

It showed that the great fault to be found with ships constructed by the Surveyor of the Navy, was the want of sufficient displacement; and that fault became more apparent as the size of the vessel increased, and the superstructure raised, which consequently also raised the centre of gravity; that great defects were found in all whenever a trial with them took place. Whilst mentioning the name of the officer who had written to him that letter, he could not but observe that a letter from the same officer had been read by the hon. Member for Coventry, in which he said that, instead of the classes of ships which they were now having built, these classes should be reduced to a smaller number—he thought five. Let them not, he said, as in the American war, expose their seamen to fight against larger ships than their own. He then referred to the trials between the *Pique* and the *Inconstant*, and the *Pique* and the *Castor*. The *Barham*, a 74, which had been made into a large frigate, out of nineteen trials beat the *Vernon* thirteen to six. He was quoting from a Parliamentary return made in 1836, and in it it was also stated that the *Espiégle*, the *Flying Fish*, and *Daring*, had proved themselves nearly equal in point of sailing, but that the *Espiégle* carried nearly six weeks more provisions and water than the *Flying Fish*, and drew less water than the *Daring*, and combined all the properties of a man-of-war. Returns had been made of the sailing of the *Raleigh*, built by Mr. Fincham, master shipwright at Portsmouth, and who had been the teacher of practical shipbuilding to the School of Naval Architecture, with the *Constance*, the *Improved Vernon*, as she was called, which was to be the paragon of the sea. He had not seen those returns in an official shape—why, he knew not; but he understood that the same return gave a comparison of the sailing qualities of the *Eurydice* (which was built by a late Member of that House, Captain Elliott), with the *Spartan* and the *Thetis*, with the *America* and *Superb*. He was informed by the captain of the *Thetis*, which was the produce of three members of the Naval School of Architecture, that she beat the others considerably; that she carried all her stores and armament most perfectly; and that when extra stores and men were put on board of her, she was not put out of trim. He had no doubt that the returns relating to the *Terrible* would show that she was the cheapest vessel in the repairs she required; but that was not a question of economy—it was a question in which cheapness and efficiency were combined. The hon. Gentleman had given many details of alterations and changes, which had been made at great expense. He would not further allude to them than to say they proved a gross want of knowledge of what ships would do while they were on the stocks, or the displacement which would take place when the stores and provisions were put on board which were necessary for their equipment. There had been a system in existence of getting rid of ships built by rival constructors, which was disgraceful to the Navy and to the country. A hasty survey was held upon the ship, and she was sold for much less than she was worth, though in some instances a vessel had been saved even after she had been condemned upon the survey. The *Dublin* was one of those ships which had been saved after having been condemned, and she was now an efficient ship, on actual service. The hon. Gentleman had mentioned the case of the *Scarborough*. If he recollected rightly, that ship was an old 36, and in perfect condition; she was quite sound, and worth 35,000*l*., yet she was sold for 6,200*l*.; of that fact he had been informed by a Friend of his, Mr. Young, who was then Member for Tynemouth; and upon a former occasion he had very strongly animadverted upon the case in that House. Then there was the case of the *Tremendous*, which was condemned to be broken up, although she was in perfectly good condition, and was now serving in the *Pacific*, under the name of the *Grampus*. After 14,000*l*. had been spent upon the *Barham*, and being reported as being the most successful ship against the *Vernon*, she was reported as an incompetent ship, and must be got rid of. The hon. and gallant Member for Gloucester had said that although much abuse had been thrown upon the larger ships of the Surveyor, still that his small ships were perfection. The *Cleopatra* of that class was a very beautiful ship to look at, and he believed sailed very tolerably; but she was very uneasy, and had that great and vital defect that she could not possibly stow a proper amount of

provisions. The *Rover*, again, was so top-heavy that they were obliged to alter her weight aloft and make it lighter; and, after all, they were obliged to get rid of her. There had been a constant dislike of all competitive constructors at Somerset House, of which the Admiralty were probably not aware; but the fact was, that there was a system of annoyance pursued towards them in all the yards—a regular system of throwing every possible hidden impediment in the way of other builders, that was most disgraceful. There was an officer of his acquaintance, Captain Smith, generally called Target Smith—the ingenious inventor of the paddle-box boats—a contrivance of the very utmost utility—indeed, so much so, that he thought no vessel ought to be allowed to proceed upon any voyage without them, because in every instance where they had been used they had been eminently conducive towards the safety of life: even he had the greatest difficulty—he met with the greatest hindrance—in getting those boats applied to the service. Another competitor, Mr. White, the naval constructor, of Cowes; he also met with a variety of little pettifogging obstructions in the discharge of the duties he was called upon to perform. Whatever they turned out that was good, was charged to be a plagiarism of something turned out by Sir W. Symonds. Sir W. Symonds might be a very good officer—indeed he believed he was, though he had not the honour of his acquaintance; but he denied that those constructors who had succeeded in building good ships had copied from Sir W. Symonds. Dr. Inman, a most intelligent and scientific man, was called upon, and built the *Orestes* and the *Sapphire*—vessels which were superior in stowage to any others in the Navy; and he was the master of that School of Naval Architecture which had been most wantonly destroyed. He would not allow himself to dilate upon the gross injustice of that proceeding. These gentlemen came into the service under a bond to remain for years; with the condition that they were to expect to fill the higher dockyard offices. The establishment was then destroyed: these gentlemen, with their high attainments, constantly persecuted and kept in the lowest offices; and upon one occasion when one of them went to remonstrate with the right hon. Baronet the Member for Dorchester, he was told he might go and get his bond burnt at Somerset House if he liked, or something to that effect. He could not see how in a matter of such a complicated character, a knowledge of which could only be arrived at step by step—he could not see how the Government could do otherwise than re-establish such a school as had formerly existed. The country would not remain satisfied with what fell from the Secretary to the Admiralty the other evening, although he had given an explicit promise upon a question most interesting to the whole nation. Naval architecture ought to have the whole of the talent and science which the country could afford; and he could see no reason why the School of Naval Architecture should not be re-established. The Admiralty had taken a step in the right direction when they appointed the Committee of Reference to see that the expenditure on the Navy was made in a proper manner; and he trusted they would adhere to the recommendation made by that commission. Was it true that the *Albion* had been found to be a failure, and that the ships of that class which were in progress had been ordered to be stopped? Was it also true that since that order they had surreptitiously been advanced from two-eighths to six-eighths of their progress? [Mr. Ward: The order was suspended.] He had then to throw blame upon his own friends for doing so, because it had been admitted upon all hands that the *Albion* had been a failure. The immense waste of money in making alterations in new ships, showed an utter want of capacity to construct ships on the part of the Navy Office; and that, in his opinion, alone formed a good ground for a Committee of Inquiry, or a Commission—hs cared not which, so long as the inquiry was fairly conducted. In order to show the effects produced by the want of such an education, he would just refer to a return which he had found on the Table since his arrival that day at the House. In doing so, he must complain of the Admiralty Office; for he moved for that return on the 19th of February, and he received it on the 29th of April, and then he found it was most incomplete and unsatisfactory. [Mr. Ward: The return would not have been put on the Table in an incomplete state had not the noble Lord pressed to have it before that debate came on.] He thought sufficient time had been allowed to make the returns, and yet half the questions were answered by the word "unknown." The first question was as to the centre of gravity of a certain description of

vessel with and without her equipment; and the answer was, "Unknown." He really did not know what the board was fit for, if it could not give answers to such questions. It showed, however, what was the march of scientific knowledge, when vessels were built without their capabilities being at all apportioned to the weight they had to carry. He found, however, a return of the difference between the calculation of displacement made as to the return of several vessels and their actual draught. In one, the *Constance*, the difference was equal to 180 tons; another, the *Spartan*, 120 tons; and so on. Now, on the contrary, there was the greatest possible accuracy in the calculations made by the gentlemen of the naval school as to the draught and displacement of the two ships built from their plans. This was so striking as compared with all the other ships, as to be alone sufficient to show the great importance of an instruction such as they had received. He was very anxious to know some particulars as to the sailing and other qualities of the *Thetis*; but the return gave no information whatever. It was quite useless to move for returns from the Admiralty. He must say, however, that it showed a great want of respect to the House. One question was as to the expense of alteration; and the reply was, "Not known at Somerset House!" He should like to know what confidence could be placed in a department which exhibited so much ignorance of details they ought to be able to furnish. He disclaimed all party feeling—he was actuated only by a desire to see the Navy of England put on a footing, at least equal to that of any other nation in the world; but that would never be the case while the present system was persevered in, and he therefore most cordially supported the Motion of the hon. Member for Montrose.

Mr. WARD said, it was not his intention to follow his hon. Friend the Member for Montrose through every count in the bill of indictment which he had that night preferred, not so much against the present Government, or rather not against the present Government in particular, but against every Government that had had anything to do with the naval administration of this country for the last fifteen years. He was surrounded by those who were quite able to defend the conduct of their own Administration during that period; and he must apologize to the right hon. Member for Dorchester (Sir J. Graham) to whom the hon. Member for Montrose had particularly addressed himself, for thus standing for one moment between him and the House. But his excuse was that he did think it desirable to state at once and distinctly, that having near at heart the efficiency of the Navy of England, Her Majesty's Government did not see how that efficiency could be promoted, or indeed any good end attained, by granting to his hon. Friend the Commission or Committee of Inquiry for which he had moved this night. He would make large admissions; and no doubt there had been errors. No doubt public money had been mis-spent. No doubt there had been a want of proper precaution. He did not say under what Government, but under all. And he thought it would be in vain to dispute that, after the admissions which were contained in the instructions to the Board of Reference by the late Administration, in the justice of every one of which the present Government concurred. The first paragraph of their instruction stated that—

"My Lords having had under consideration the large amount which is annually expended in building vessels of war, and the great importance of adopting such plans only as, after due examination by persons practically and theoretically acquainted with the science of naval architecture, shall appear to ensure the greatest possible degree of efficiency, for the several objects for which such vessels are designed; and seeing that in many instances the objects which constructors have had in view have not been fulfilled by the performance of their vessels when tried at sea, and that in others expensive alterations have been required after they have been built: and being, therefore, of opinion that it is expedient to have recourse to greater precaution than has heretofore existed, before finally approving of the draught of any vessel submitted to them, are pleased to direct," &c.

Now he fully admitted the utility of that check, and the necessity for some such check being adopted; but he contended that the very moment when that check was established was not the moment that the hon. Member ought to have selected for making an inquiry. Errors there might have been; but had not his hon. Friend almost every security which he himself had suggested with regard to the future? Of whom was the Committee of Reference composed? Why, of the very men who were most prominent in the School of Naval Architecture, the loss of which the hon. Gentleman deplored. If he went over the names, he would find amongst them Mr. Read, Professor Inman, Mr. Large, and Mr. Fincham. He did not think that any better system than the

present could be devised by any inquiry which his hon. Friend could have—that was, any system which could afford a more direct and efficient responsibility to the House than that which the Government were determined to proceed upon in carrying out the recommendations of the late Board of Admiralty. The gallant Commodore had often suggested the appointment of some intermediate person or persons (he did not say whether one or more) who should be the responsible parties; but what, he wished to know, would that intermediate body be except a Surveyor of the Navy in another shape? It would only be another responsible body, interposing between those who were now responsible and that House; and he thought, therefore, that it was much better to have in the House of Commons those who were at the head of affairs, and who could be called to account for whatever was done under their superintendence and by their direction. He believed that those constant discussions did good; that they made men more cautious, and prevented the recurrence of much of that expenditure which had hitherto taken place. But he could see no better security for the future than the system now established, and which the present head of the Admiralty had determined strictly to adhere to in all his future movements. He totally disbelieved in the possibility, by any existing body in this country, of at once devising a perfect model for all future naval construction. He did not mean to say that science must not be brought to bear largely on all questions connected with naval architecture; but in the construction of a ship of war it was clear, from the admission of the noble Seconder of the Motion himself, that perfection could not be attained at once. The *Thetis* was said to be perfect; but he believed that an admirably satisfactory report had been made of her arrival at Lisbon. So also of the *Sidon*. In these cases, they must be guided by the reports of practical men, and his hon. Friend had himself shown how the highest authorities differed with respect to the efficiency of a ship, and how difficult it was to bring this matter to a test. His hon. Friend had referred to the *Queen* and the *Albion*. Now, he held in his hand a letter received by the Earl of Auckland from Sir William Parker, in which that gallant Admiral said—

"I think well of the *Albion;* she does not sail so fast as the *Vanguard*, the *Superb*, or the *Canopus*, and she is said to be very uneasy; but the manner in which she stands up under canvass is astonishing. I wish that Captain Lockyer had been allowed months ago to ballast and trim her according to his own ideas, for he is 'every inch a sailor,' and would have endeavoured to do justice to her. I agree with him, that the ship is fully equal to carry the long 68-pounders throughout on the lower deck, and I confess that I should like to see it tried. The *Queen's* sailing has generally been superior to the *Albion's*. I have heard no complaint of her being uneasy. In short, I consider her by far the finest ship of her class that has ever been built; and, in a general chase, she would probably be found amongst the best of the two-deckers."

Now where were they to go for authorities, if they did not refer to officers of the greatest experience, the greatest practical knowledge, and the most competent to form an opinion? He had found the same discrepancies existing throughout. He had the minute in his hand, which was spoken of by the noble Lord, relative to the trial of the *Espiégle;* and it stated that the *Flying Fish* and the *Espiégle* sailed so nearly alike that the palm could not be awarded to either. It was clear, then, that we had not arrived at anything like that high standard which his hon. Friend seemed to think was possible. He admitted the necessity of bringing the best naval science possible to bear upon the subject; but he wished those who were in favour of re-establishing the Naval School of Architecture held the moderate expectations entertained by the members of that body. In the first report of Messrs. Read, Chatfield, and Creuze, in 1843, they said—

"It will be our endeavour to remove this misapprehension. In making this attempt, we do not arrogate to ourselves any new discovery; we merely assert that there are no insuperable obstacles opposed to sure and progressive improvement; that the course of proceeding in other branches of knowledge is applicable to this; and that inductive reasoning, based on mathematical investigations, may be applied with eminent advantage to naval architecture, as it has been to other branches of natural philosophy."

There was no doubt they were correct. What they recommended was the natural and proper course to take; and he could not suppose a Board of Admiralty rejecting or despising science in the way his hon. Friend supposed. Perhaps those Gentlemen had not had fair play; and he sincerely hoped that great improvements in naval architecture would be the result of their present efforts. As to the evidence adduced by his hon. Friend to-night, it was not founded upon any great naval authorities, and the House showed its sense of the question by a very thin attendance.

If Parliament had believed that 22,000,000*l.* of the public money had been wasted and thrown into the sea, and that after all this expenditure we had not a fleet that was in a condition to meet the fleets of France, Russia, or any other country, every Member of the House would have come down to his place to visit with reprobation such a system and such an expenditure. If his hon. Friend's case were well founded, he put it to him if such inattention on the part of this House could have occurred? He could assure his hon. Friend that Her Majesty's Government had as sincerely at heart as he himself had everything that would tend to greater economy and the increased efficiency of the Navy and the dockyards; that they were as anxious as his hon. Friend was to bring the greatest talents and the highest science to bear upon the subject, and to incur no expense of any sort without that full preliminary inquiry which had already been pronounced to be so necessary. As to the re-establishment of the College of Naval Architecture, that was a question of the utmost difficulty. Nothing could be more desirable than to see a greater amount of talent enlisted in the service, than was now to be found in our dockyards. But it would be a most fatal measure if the prospect of regular promotion were checked and clogged by the interposition over the heads of others of a number of young men to fill the higher offices. He seemed to have been much misunderstood the other evening when explaining what the Government hoped to effect by the system they were now pursuing. In the first place, they hoped to get rid of all the gross ignorance which now characterized the apprentices in the dockyards. They had already made arrangements with that object in view; and accordingly they did not admit any boy who was unable to read and write, and had not received the elements of a common education. In every successive year, the most promising youths would be selected, and their education completed at the public expense. All these boys were expected to return to the dockyards on the completion of their education. They would return and be employed as officers, after receiving as much education and scientific knowledge as they could be expected to acquire in the course of two or three years. With regard to Sir William Symonds, there were so many hon. Members who were more intimately connected than he was with the subject, that he would not attempt the vindication of that gallant gentleman from the charges brought against him. He did not say that he was faultless; but he believed that at present he was a very much underrated man. He thought that the expectations which were first formed of him were too great. He was certain, if he might believe the testimony of some of the most experienced men in the profession, that at the outset he did render eminent services to the public. He did great service to the country by the new system of classification, and by simplifying the whole system of masts. But he thought that enough had transpired to render it necessary that they should be cautious in carrying out such vast experiments as that of laying down six new ships on the lines of the *Albion;* at all events, until the subject was more fairly tested. Yet, with letters like that from Sir W. Parker, and with such high testimonials from officers of the highest standing in the profession, he contended that it was unjust to Sir William Symonds to carp at his ships as devoid of merit, and as unfit to cope with an enemy. All he could further say was, that the greatest caution should be exercised in all their future operations, and that no plans or drawings should be sanctioned without being first submitted to the Committee of Construction and the Surveyor. In conclusion, the hon. Gentleman assured Mr. Hume of the desire of the Board of Admiralty to economize the expenditure and improve the efficiency of the Navy; but he could not consent to the adoption of his hon. Friend's Motion.

Sir J. GRAHAM would have gladly left the vindication of naval affairs to the hon. Gentleman the Secretary of the Admiralty, if it had not been for certain parts of the speech of the hon. Member who introduced this Motion, and which naturally required some observations on his part. The hon. Member said he had refreshed his memory that morning by referring to a debate which had taken place fifteen years ago. He (Sir J. Graham) had had no such opportunity of referring to *Hansard;* and the reference made by the hon. Member to that period had excited some melancholy feelings in his breast. The hon. Gentleman had talked of the hand of the destroyer; and it was too true that the hand of the destroyer had been busy among those who took part in the debates to which the hon. Member had alluded. The hon. Gentleman had mentioned—in terms which, upon deliberation, he thought he would re-

gret—the name of an excellent officer, of unsullied reputation, Mr. Hawkes, who was master shipwright of Plymouth dockyard in 1845, and who, the hon. Member alleged, had prepared a report calculated to mislead the House. That officer died some years ago, with a reputation as pure and unsullied as any Member of that House could boast; and till that moment he had never heard any allegation reflecting either upon his public conduct or his private honour. This was one of the disadvantages of discussing matters of this kind after the lapse of a considerable time. He entirely agreed with the hon. Gentleman, that this was a subject peculiarly fitted for the consideration of the British Parliament. It was the boast of this country that it possessed the most skilful seamen in the world; and he thought it was due to the character of those seamen that they should sail in the strongest, the best constructed, and the best adapted ships of war that skill, talent, and experience could produce. He did not hesitate at once to admit that he was responsible for the appointment of Sir W. Symonds, some fifteen years ago, to the situation of Surveyor of the Navy. He made that appointment deliberately, after consulting his naval advisers, and after using every precaution he could take with reference to the selection of a fit and proper person for the office. The hon. Gentleman had told the House that he (Sir J. Graham) had declared, during the debates to which reference had been made, that science was not the quality necessary to constitute a good and fit Surveyor of the Navy. Now, he thought the hon. Gentleman had, though unintentionally, misrepresented what he (Sir J. Graham) said on that occasion. He then said, and he still entertained the opinion, that abstract science alone was not the qualification which fitted a man for the appointment of Surveyor of the Navy. He thought that, in making a selection for so important an office, naval experience, combined with science, was the qualification which ought really to be sought. The hon. Gentleman had assumed that Captain Symonds was destitute of acquaintance with the first principles of science. He did not think that any Member of the House would question the naval skill of that gallant officer; for, among competent sailors, Sir W. Symonds would be admitted to be a most skilful officer. With reference to shipbuilding, Sir W. Symonds, even before he was appointed Surveyor of the Navy, had directed his attention in a very great degree to the art of construction. He had every reason to believe that that gallant officer possessed a considerable acquaintance with the art of shipbuilding; and that knowledge, combined with his nautical skill and general sagacity and ability, rendered that gallant officer worthy of the position to which he had ventured to appoint him. But before he proceeded to discuss the merits or demerits of Captain Symonds, he might recall the attention of the House to one observation which fell from the hon. Member for Montrose. That hon. Gentleman said, that he thought they ought to exercise great caution in relating what they heard on this subject. He must be permitted to add, that an equal caution was necessary in believing what they heard. He must say that, excepting on matters of religion, he did not know that any difference of opinion had been attended with so much bitterness—so much anger—so much resentment—as this question with regard to the merits of Captain Symonds, and the virtues of his ships. Unfortunately, the most angry—he had almost said malicious — controversy was carried on throughout the profession on this subject. He would now refer to an incidental question to which the hon. Gentleman had alluded—he meant the step taken by himself, in concert with the Board of Admiralty, of which he was a Member, with respect to the School of Naval Architecture. The expense of that establishment, which had been instituted some time before he had a seat at the Board of Admiralty, had been very great; and the fruit produced by it had, at that period, been very small. It was his opinion, and that of the board of which he was a member, that, upon the whole, the cost of the School of Naval Architecture greatly exceeded any benefit which could reasonably be expected from its continuance. The hon. Member opposite had objected to the abolition of a number of lucrative offices in the dockyards, and had said he considered that measure a hardship, because they constituted the prizes and premiums to which pupils in the School of Naval Architecture aspired. If those offices were really necessary, undoubtedly they ought to have been continued; but if they were of the nature of sinecures—if they were impediments to the working of a good system in the dockyards—then he said, it was his bounden duty to abolish those offices, although he might thereby diminish the

premiums which were offered to successful students in the school. In revising the whole system of the dockyards, he came to the conclusion that a great number of the offices alluded to by the hon. Member were unnecessary; and as those offices were such as were destined as the rewards for the gentlemen who were students at the Naval School of Architecture, it appeared to him, that if he abolished them, it would be the better course, prospectively, to abolish the school itself, especially as he certainly did not anticipate much benefit from it. Then the question arose, was this abolition, prospectively, inconsistent with good faith and fair treatment towards those who had at that time entered the school, and who had done so with bright prospects? He was not aware that any act of his, after that school was abolished, was tainted with the least shade of injustice to any of those individuals. Next to the office of Surveyor of the Navy, the most important office in the dockyards which any person in course of promotion could attain was that of master shipwright. Who was the master shipwright at Portsmouth? Mr. Fincham, who had been a lecturer at the School of Naval Architecture. The master shipwright at Pembroke was Mr. Abetel, and at Chatam Mr. Laing, who had been students in that school. Who was at the head of the machinery department at Woolwich —the most lucrative office next to that of Surveyor of the Navy? Mr. Lloyd, who had been a student in the School of Naval Architecture. An important appointment at Portsmouth had also been conferred on another student of that school. He thought, then, that more than ample justice had been done to those who were students in the school at the time it was abolished. They had received kind and considerate treatment; and he did not think it could be said that they had any ground to complain of injustice at the hands of the Executive Government. He would now refer to the question as to the merits of Sir W. Symonds. He understood the hon. Member for Montrose to say, that he considered that foreign nations had made greater improvements in the construction of ships than we had done. He admitted, that at the close of the last war all the best ships in our Navy were either captured French ships, or ships which had been built on French models. The *Canopus*, which had been sent to sea with the line-of-battle ships in the recent trials, was a French ship of the highest character, and at the close of the war was superior to any ship built in our own dockyards upon French lines: but the *Canopus*, in the experimental squadron, was inferior in every essential point to the line-of-battle ships built on the lines of Sir W. Symonds. He had had no opportunity of referring to the books which contained a record of the trials; but he was quite content that the issue between the hon. Gentleman (Mr. Hume) and himself on this point should be tried by the success or failure of the *Vernon*. The hon. Member had stated that he understood that, in her first cruise, the headrail of the *Vernon* was washed away; but he (Sir J. Graham) was much mistaken if, with a head sea and a press of canvass, that was any remarkable occurrence. Of this, he was sure, that no science, with or without nautical skill, would produce a fast-sailing ship which would not be a wet ship under press of sail, and which would not occasionally pitch deep. The *Vernon*, on her first cruise, was commanded by Sir F. Collier, whom he (Sir J. Graham) selected for that command by the advice of Sir T. Hardy, as an officer of undoubted merit, of first-rate reputation, an admirable sailor, and a most competent person to form a just opinion of the qualities of the ship. The issue between his hon. Friend (Mr. Hume) and himself, then, as to the propriety or impropriety of the selection of Sir W. Symonds, was placed upon the success of the *Vernon*. [Mr. HUME: I alluded to Sir G. Cockburn's report.] He had not access to Sir G. Cockburn's report; but he held in his hand the report of Sir F. Collier, which was in these terms:—

"Her Majesty's ship *Vernon*, at Sea, Sept. 17, 1833.

"In compliance with your directions to report to you my opinion of the qualities of Her Majesty's ship *Vernon*, under my command, I have to state, that she stows infinitely more and better than I had anticipated. She stands well up to her sail, better than any vessel I ever saw, and is the easiest ship I ever was at sea in against a heavy head sea. She sometimes pitched deep, but so very easy that not a ropeyard could be strained. She rolls perfectly easy in working. She is the handiest ship I ever was in; and, in wearing, she quite surpassed my most sanguine expectations. Take the ship altogether, I think her quite perfection. I shall forbear making any observations as to her sailing qualities; you have witnessed her superiority."

So much with respect to the *Vernon*. Now what were the other ships mentioned as proofs of the entire failure of Sir W. Symonds as to construction? With respect to the *Queen*, one of the ships re-

ferred to, the hon. Secretary to the Admiralty (Mr. Ward) had read the report of Sir W. Parker, in a confidential letter, addressed he (Sir J. Graham) believed, to the Earl of Auckland. With regard to the *Vanguard*, he held in his hand the report of an officer now no more, but than whom, it would be admitted, there could be no higher authority upon the questions of sailing—he alluded to Sir C. Paget. That gallant officer wrote as follows:—

"*Bellerophon*, September 18.

"I feel much pleasure in telling you that the *Vanguard* is in every respect much improved by the further reduction of ballast, and that her superiority upon all points of sailing, since we last left Plymouth, has greatly distinguished her. If the *Bellerophon* and *Pembroke* may be considered, as I really believe they fairly may be, above the average in sailing of our ships of the line, I am persuaded the *Vanguard* will be found to be a clipper wherever she goes amongst others of her class. In short, I am in admiration of her, and, though the *Bellerophon* is not at her best, my friend Captain Jackson frankly admits the *Vanguard's* great superiority."

He (Sir J. Graham) was told that Sir R. Stopford, when he commanded the fleet in which the hon. and gallant Officer near him (Sir C. Napier) so much distinguished himself, spoke in high terms of the powers of the *Vanguard* in going to windward. The *Collingwood* had rounded Cape Horn and had been tried in every way, and the gallant officer, Sir George Seymour, by whom she was commanded, had reported to the Admiralty in high terms of her merits. This he must state, that Sir W. Symonds, appointed by him in 1832, had served under five or six Boards of Admiralty, composed of different officers, with different prejudices and predilections; and, on the whole, they had not thought him unworthy of the high situation in which he had been placed; but, by retaining him in that situation, they had collectively and individually shared the responsibility of his original appointment. He begged to remind the House that such officers as Sir G. Seymour, Sir W. Parker, Admiral Hyde Parker, Admiral Bowles, and the hon. and gallant Member near him, had all tried and reported upon the ships of the Surveyor of the Navy; and if the whole of these reports were produced, he was greatly deceived if they would not form a mass of conclusive evidence in favour of that gallant officer (Sir W. Symonds), whose character was so often assailed, and, as he thought, with so much injustice and asperity. He must tell the House, what he had frequently told Sir W. Symonds, that he had always considered it a great misfortune attendant even upon the adoption of a well-considered theory, that the person who propounded it frequently clung to it with too much tenacity, and was indisposed to correct the defects discovered by experience in carrying it into execution. He had always entreated Sir W. Symonds to listen with attention, and without the slightest feeling of anger, to the representations of any defects which fair trial and experience might prove to exist in his ships. He (Sir J. Graham) was satisfied, that if Sir W. Symonds would supply corrections of such acknowledged defects, there was in his theory itself much of wisdom and excellence, which, even as matters now stood, had led to the improved construction of ships of war in this country; and all those who had latterly built ships of improved construction had, in the main, adopted the principle of Sir W. Symonds. What were the great defects of our old ships of war? He was almost ashamed, in his present position, to give an opinion as to what those defects were; but he remembered opinions on this subject which he had heard expressed by naval authorities both living and deceased, upon whose knowledge he could place implicit reliance, and he might, therefore, venture to state what he believed those defects to be. They were, he considered, insufficiency of beam and the consequent want of stability. To those defects Sir W. Symonds applied a decided corrective; he gave increased width of beam and increased stability and power of carrying sail. To these great improvements Sir W. Symonds had undoubtedly sacrificed other advantages; but many of the imperfections in his system of construction had been corrected; and he (Sir J. Graham) believed it was possible to correct them all. Who, then, had been the gainers by these improvements in shipbuilding? The British public. It had been said, that the alterations had been attended with expense; but he could not think that money had been thrown away in trying, during a time of peace, various modes of construction, and, as the result of those experiments, correcting the defects which experience had demonstrated. What were the ships which the noble Lord mentioned as most successful, as contradistinguished from the failures, as he termed it, of the Surveyor of the Navy? One was the ship *Inconstant*. That was not built by a man of science, a pupil of the School of Naval Architecture. She was built by an admirable naval offi-

cer, a man of practical experience, and he would not deny, a man of science to a certain extent. The other ship mentioned by the noble Lord was the *Eurydice*. That was built according to the plans of Admiral Elliott, a distinguished officer; but he was not aware that he was to be called a man of science as contradistinguished from a naval officer. Undoubtedly he possessed science; but he also possessed that which was the happiest combination—naval skill and experience, conjoined with some science. The cases, therefore, mentioned by the noble Lord, afforded demonstrations of the qualifications which he believed Sir W. Symonds to possess—qualifications calculated to insure excellence in the precise department. Then with regard to the *Thetis*. That was an improved edition of Sir W. Symonds' ships, with certain admitted faults corrected; and he was persuaded that what he stated would be confirmed by the naval authorities following him in debate. The hon. Gentleman who brought forward the present Motion specified the case of the *Rodney*, and he exclaimed, "What an extraordinary sum, amounting to 145,000*l*. had been expended in correcting her faults!" But was she built by Sir W. Symonds? No; she was built by a scientific builder on the lines of the late Sir R. Seppings, a dockyard officer. Again, something had been said with regard to Dr. Inman. He should be extremely sorry to say anything in the least disparaging to that gentleman, or to use any expression which would give him pain. He was at the head of a scientific establishment at Portsmouth, and had, he believed, done good service to the country as an instructor of youth; but as a shipbuilder that gentleman's failures were signal; and he might point to them as a proof that science alone apart from naval skill was not to be relied on. The errors committed in the past, however, were insignificant in comparison with the importance of pursuing a wise course in future in respect to the construction of our fleet; and though he did not, as a temporary expedient, disapprove of that Committee of Reference which had been appointed, yet he warned the Admiralty of the absolute necessity of taking care that under that term no new Navy Board was erected. He had, abolished the Navy Board, because he thought it expedient to establish not only the supreme control but the undivided responsibility of the Board of Admiralty; and in adhering to this principle had met with the approbation of Parliament. He thought the grand principle was, that they should have but one board responsible in all matters, and that that board should be the Board of Admiralty. In that board, whatever might be the political changes of the day, there invariably sat some of the ablest naval officers in the service, competent to form an opinion with respect to naval matters, and whose judgment was entitled to the confidence of the public. The Board of Admiralty consisted of a happy compound. It was not a board exclusively composed of naval officers; but, mixed with them, were civilians of eminence; the First Lord being a Cabinet Minister, and one other member of the Board being a lay lord. Moreover, the Secretary to the Admiralty generally represented the Board in that House. The Board of Admiralty thus constituted did on the whole form a tribunal to which questions of a mixed nature, both naval and civil, might with the utmost confidence be submitted. He had no political predilections for the present Government; but he might fairly, in illustration of his argument, point to the composition of the present Board of Admiralty. Lord Auckland was the first Lord. That nobleman had, in India, filled the highest civil appointment as Governor General. He was distinguished by a dispassionate, calm, and deliberate judgment, admirable good sense, and by the strictest impartiality. Then there was also on the Board a naval officer of great reputation, Admiral Sir C. Adam. He was known to all sides of the House, and was esteemed and admired as a gallant sailor, and a just man. In the presence of the two gallant Officers opposite (Admiral Dundas and Captain Berkeley) he would not speak of them even as they deserved; but he would say, with respect to Lord John Hay, that there was no officer in the profession whose character would bear closer examination. In this combination, which was to be found in the Board of Admiralty, there were all the materials for deciding on this question of naval construction. The old established rules of the Board were admirable. The lines of every ship laid down in the Navy were submitted to the Board, and no ship could be laid down or built without receiving their sanction; and he should be sorry to see any other authority responsible in the last resort. Then the question presented itself, how should the Board of Admiralty be advised? By one, or, if

necessary, by two Surveyors of the Navy. They were the eyes of the Board of Admiralty. He regretted that the present Surveyor of the Navy had devoted too much time and attention to his own immediate department—planning lines, and building ships. He should be the adviser on the plans of others; and when those plans were sanctioned, he should superintend the progress of the works, uninfluenced himself by the prejudices of a builder. He said at once that if Sir W. Symonds did not give satisfaction to the Board of Admiralty, let him be removed; but let them not, on account of this disputed question respecting the Surveyor of the Navy, withdraw from the Admiralty the decision in the last resort on all questions of shipbuilding in the Queen's yards. Those principles which guided him in the abolition of the Navy Board, led him to propose to Parliament a measure for the reconstruction of the Admiralty Departments; and after thirteen years' experience, he believed that if those principles were adhered to, the administration of affairs would be successfully conducted on sound principles. He should do injustice to Sir W. Symonds, if he did not declare that he was an upright and honest man, indefatigable in his department, and only too zealous in his eager desire to serve the public. By his exertions Sir W. Symonds had rendered great service to the country. If he retained the confidence of the Admiralty, let him remain in his situation; or if scientific assistance was thought requisite, conjoin with him some scientific person also possessing the confidence of the Admiralty; but let them not institute a Committee of that House, or any Commission, to contest the judgment of the Board of Admiralty. The matter was plain and simple. The system, as established, was, in the main, correct, and any imperfection was casual, and might be easily remedied. He repeated, that it would be a great misfortune (and no one would more regret it than Sir W. Symonds himself), if on account of any heat or prejudice against him, a lasting injury should be inflicted on what must be deemed the mainstay of the country—our naval superiority and the excellence of the British fleet.

Captain BERKELEY could assure the right hon. Baronet that his warning should not be neglected, and that the present Committee of Reference were only called together to gain their opinion on questions of construction. The House would remember that he had asked the hon. Member for Montrose what was his authority for the statements which he had made; but the hon. Member had evaded the question, and had not given him any authority. However, in what he was about to state, he would not say one single thing which he could not substantiate by the authority of naval officers, who were competent to speak on the subject. If one-half or one-third of the charges which the hon. Member had brought forward were true, or had any sort of foundation whatever, then he having been a member of the Admiralty when the Earl of Minto was at the head of it, could not have stood on the floor of the House as a Member of the present Board of Admiralty, because he was sure that he should have lost the confidence of the country. Now let the House look at what Sir W. Symonds had done. He destroyed the ten-gun brigs, and established a class of packets which, as he was informed by the officer at Falmouth, were so popular with passengers, that they used to ask which were Sir W. Symonds' ships before they would attempt to cross the Atlantic. The second class of ships which he built were also excellent ships, those of 26 guns, namely, the *Cleopatra*, *Vestal*, and others. He would now take the large class of ships; and he thought it due to Sir W. Symonds to state what the ships were which were built by him. The right hon. Baronet had already stated Sir F. Collier's opinion of the qualities of the *Vernon;* and he would refer to the same authority, because the hon. Gentleman who had brought this Motion forward had said that we were inferior in every way to the French in shipbuilding. This officer said that "the *Vernon* was everything that could be wished, and that the French were very much surprised, as well as most people, at the way in which she had behaved and outsailed them." The hon. and gallant Admiral opposite (Sir C. Napier) said, that in a gale of wind the *Vanguard*, one of the abused ships, was a most leewardly vessel. Now, the officer who commanded the *Vanguard* for nearly four years, said that while he was in command of her, he encountered four gales of wind, or at least what he considered to be such. The first of these was in the Bay of Biscay, the second on the coast of Syria, the third off Alexandria, and the fourth in the Gulf of Lyons. The *Vanguard* was, when off Alexandria, so heavily loaded, that she was eighteen or twenty inches

deeper in the water than her usual trim; yet her commander stated that she weathered the storm nobly, and was the only ship in the squadron which had not sustained considerable injury. This, the House would allow, was saying a good deal. But then the House had been told that these ships were extremely dear. They had been informed that the vessels of Sir W. Symonds strained their rigging, and cost the Government large sums in repairs. When the *Vanguard* came to Portsmouth, after an absence of nearly four years, Captain Corry, who was going out in the *Superb*, applied to have the rigging of the *Vanguard*, instead of having new rigging. This did not look like much loss from straining. He would not weary the House by reading many more letters; but everybody knew that Captain Rous was not in the habit of flattering people. Now that gallant officer wrote to Sir W. Symonds to say, that his

—"beautiful ship had had the hardest thumping that anything made of wood or iron ever endured; that they had been striking against a rock for ten mortal hours—and that no other ship could have stood such a trial."

That spoke well for the solidity of her construction. It had been stated that Captain Symonds had never built a steamer worth anything; but it happened that he had before him the opinion of an hon. and gallant officer at present belonging to the Board of Admiralty, who was not only a first-rate seaman, but scientifically skilled in shipbuilding; he referred to Lord John Hay. Now, Lord John Hay's opinion of the *Gorgon* steamer, which was built by Sir W. Symonds, was that she was a very manageable vessel, and a good seaboat with quick motion. Captain Austin said, that the ships of Sir W. Symonds could stand under sail when other ships could not; and Sir John Louis stated, that he saw the *Vanguard* sail out of Malta harbour when all the rest of the fleet were obliged to be towed out. He thought, therefore, that the Admiralty were perfectly justified when Lord Minto was at the head of it in allowing Sir W. Symonds to build ships; and though he might have carried his principle too far, he had struck out a new and valuable system, the result of which was that no other country could have better ships than we had. He could assure the House that the present Admiralty would carry out what had been begun by their predecessors, and pay every attention to shipbuilding.

Sir C. NAPIER said, that it appeared to him that the whole time of the House had been taken up to-night by attacks upon, and exculpations of, Sir William Symonds, and that they had lost sight entirely of the Motion of his hon. Friend, which related to the waste of the public money by the building of improper ships. He could not go the length of the hon. Member for Montrose in pronouncing a wholesale condemnation upon Sir W. Symonds' ships; and he had told him privately that he thought it would be better if his hon. Friend would restrict himself to some particular points. Sir W. Symonds began with building several small vessels. The right hon. Baronet (Sir J. Graham), he thought injudiciously, allowed Sir W. Symonds to go from small vessels to very large frigates. The result had been praised by some, and condemned by others; and he must say that it was very difficult to get at the truth of the subject. He must admit that Sir Francis Collier, on the first cruise of the *Vernon*, did give her a very high character indeed; but it was extraordinary that when Sir George Cockburn went out to the West Indies in the *Vernon*, he complained to the Admiralty of her bad qualities, and the right hon. Baronet (Sir J. Graham) substituted another ship, and sent her out to Sir George Cockburn. The *Vernon* was afterwards commanded by other officers, and when she went out to the Mediterranean, she was tried against the *Barham*, and he believed that the *Barham* beat her; but he would say, candidly, that if the same man who commanded the *Barham* had been put on board the *Vernon*, that vessel would have beat the *Barham*. He should now dismiss the *Vernon*, and go to the *Vanguard;* and he confessed that when he went to the Mediterranean, and found the *Vanguard* there, he thought she was one of the finest ships which he had ever seen. Sir Robert Stopford sent him down to Vourla in the command of a squadron of four sail, among which was the *Vanguard;* but having to beat up four or five hours against a strong breeze, she did not behave well, and was beaten both by the *Ganges* and the *Powerful*. With regard to the behaviour of the *Vanguard* in the gale off Alexandria, it was possible that some mistake might have occurred, because the squadron, when off Alexandria, encountered two gales of wind; and the second, to which he meant to refer, was certainly the severest gale which he

ever experienced in his own life. The next morning, by break of day, upon getting up to see what had become of the squadron, he found that the *Vanguard* was the most leewardly ship of all. He had never condemned the *Vanguard;* but he must say that when she was with the experimental squadron she did not do what was expected of her. When he saw her in the Mediterranean, she carried her ports eight feet out of the water; but when with the experimental squadron she was so loaded that her ports were only seven feet and a quarter above the water, and it was clear that she did not sail so well as before. Like almost all Sir W. Symonds' ships, when there was a head sea, and she began to pitch, she could not make way with other vessels. The ships of Sir W. Symonds were not built for bad weather. He must say he was surprised at what had been said on the authority of Sir W. Parker, of the sailing qualities of the *Albion.* Sir W. Parker was an excellent officer; but he was one of the culprits who protected the shipbuilder, Sir W. Symonds. Besides, when Sir W. Parker commanded the experimental squadron it was summer, and there was smooth water, just the sort of weather for the Surveyor's ships; but what was the opinion of Admiral Hyde Parker, and why did not the Admiralty ask for his report? He was informed that Admiral Hyde Parker made no report; but the Admiralty should have called for one. Admiral Hyde Parker had told him, that after making the signal for the *Albion* to form in the line to leeward, he was on the point of making the signal for her to come to the wind to save her masts, she rolled so awfully; but on second thoughts he considered it best to let her alone, and see what she could do. Now, Admiral Hyde Parker told this to the Admiralty; and they ought to have sent to the captains of the different ships, and asked them whether it was or was not true that the *Albion* shipped so much water, that when the other ships kept their ports up, the *Albion* was obliged to run in her guns and close her ports whilst they were being loaded. He now came to the enormous waste of public money. That waste had not taken place only in Sir William Symonds' time. It had existed ever since he (Sir C. Napier) knew the Navy. He had often read to the House returns of the expenses of altering and cutting down ships, for which the Admiralty, and not Sir W. Symonds, was to blame. When doubts arose as to the *Albion,* they were assured by Sir G. Cockburn, that orders had been given to stop the construction of ships built on her lines. They were stopped; but the House had never known who it was who gave the orders to begin them again. Was it the Board, or the Secretary of the Admiralty? He asked the question because it was said that the Secretary had done it on his own authority. As to steamboats, he thought the Admiralty were to blame in allowing Sir W. Symonds to go on constructing them, after it had been proved that he had not built a good one. He now came to the Committee of Reference. What good could they get from it? Was it possible that any good could come of such a system as referring the opinion of the Committee to the Surveyor, and of the Surveyor to the Committee? So long as they had a Surveyor of the Navy, if they allowed him to construct ships, they would never have any improvement in naval architecture. Let them introduce into every dockyard the ablest shipbuilders they could find. Let them encourage all builders to send in their lines and designs to the Admiralty. But then there was another difficulty. There were, in reality, two Boards—a public and a private Board of Admiralty, and the real business was carried on after the termination of the business of the public board, in the private room of the senior Lord, the junior Lords knowing absolutely nothing of what was going on. And then again, the constant changes of the Boards prevented anything like improvement. Take the present time. The First Lord might shortly be sent elsewhere, and then they would have to look out for a successor, and to bring in a gentleman most probably totally ignorant of the duties of the office. He might be allowed to say a word about iron vessels. They had gone on building those without making any experiments as to their capabilities of resistance to sea or shot. In America, things were differently managed. There a series of experiments were tried, and the result was, that iron was pronounced not to be a fit material for shipbuilding. When the experiment as to screw steamers was to be tried, no less than four sail of the line were cut down—a very extravagant outlay. On all the grounds, then, which he had urged, he thought there ought to be a Committee, in order to see whether matters could not be better managed at the Admiralty than they had been for the last forty years. He

should strenuously support the Motion of his hon. Friend.

Mr. CORRY would confine his remarks within the narrowest possible compass, and restrict himself to a defence of the Board with which he had been himself connected. The whole conduct of that Board showed that they had unremittingly, and not unsuccessfully, directed their attention to the improvement of shipbuilding. He was satisfied that the Motion of the hon. Gentleman was as unnecessary as his censure was undeserved. He believed he spoke the general opinion when he said that Captain Symonds had rendered great and important services—had broken through the trammels of ancient prejudice—and had introduced various classes of vessels which were an improvement on the old construction. At the same time it was the general opinion of that Board that his system was not without its imperfections, and that his vessels, particularly those of a larger class, required to be tested before the principle on which they were built was generally adopted. With that view the Admiralty determined to test the quality of the ships both as to their power of sailing and carrying guns. They, therefore, appointed the squadron to sail on an experimental trip in 1844; but the result threw very little light on the question—what was the best principle on which ships could be built? because it turned out that vessels of a totally opposite principle of construction were found to be on a perfect equality as to their sailing powers. His hon. and gallant Friend the Member for Ripon then proposed that for the purpose of aiding the Admiralty in this branch of their duties a committee should be appointed consisting of one gentleman of high scientific attainments, another practically skilled in shipbuilding, and a third a naval officer. This committee acted on perfectly independent views; and the Admiralty could not in his opinion have adopted any course more likely to secure the object of the hon. Member for Montrose thrn its appointments. It was the fashion to cry down the Surveyor's ships as though they were good for nothing; but the House would find on referring to the official reports made to the Board of Admiralty that distinguished officers in the naval service gave a very different account of them. In attestation of the truth of this assertion, he would take leave to read some passages from the report in question. The hon. Member read extracts from the reports of the officers who were in command of the experimental squadron, in which was found the general statement that the *Queen*, the *Albion*, and other vessels of that class, were excellent ships, and acquitted themselves most creditably. The general result of all the reports made to the Board was to attest the superiority of the Surveyor's ships; at sea the only fault that could be alleged against them being that they were subject to a quick rolling motion. The new ships were not worthy of the sweeping condemnation dealt against them; nor were the old ships entitled to all the commendation bestowed upon them. He did not think that the Board of Admiralty were liable to the charge of having squandered the public money in ordering the works of the Surveyor's ships to be resumed, for they had only done so in compliance with the official reports and recommendations which were presented to them. He disclaimed the charge of having on his own responsibility ordered the works on those vessels to be resumed. He had not done so without the entire concurrence and the full authority of the Board. With respect to the four steam guard-ships, they were altered not rashly nor inconsiderately, but in compliance with the recommendations contained in the report of the Commission appointed to inquire into the best way to defend the dockyards. The late Government had applied the public money the best way they could; and they had, at all events, the satisfaction of knowing that they had handed over the Navy to their successors in a fit state to defend the interests and honour of the country.

Mr. HUME replied: After the speeches they had heard, he was more than ever convinced of the necessity of inquiry. He was sorry that Government would not grant the Motion, but nevertheless he would persist in it, and take the sense of the House upon it.

The House divided:—Ayes 13; Noes 66: Majority 53.

List of the Ayes.

Bowring, Dr.	Napier, Sir C.
Cavendish, hon. G. H.	Pechell, Capt.
Colville, C. R.	Perfect, R.
Duncan, G.	Rashleigh, W.
Etwall, R.	Yorke, H. R.
Evans, W.	TELLERS.
Heneage, E.	Hume, J.
Henley, J. W.	Ingestre, Visct.

List of the Noes.

Armstrong, Sir A.	Baine, W.
Arundel and Surrey, Earl of	Bennet, P.
	Berkeley, hon. Capt.

Borthwick, P.	Martin, C. W.
Bowles, Adm.	Masterman, J.
Brotherton, J.	Monahan, J. H.
Bunbury, W. M.	Morris, D.
Carew, W. H. P.	Nicholl, rt. hon. J.
Conyngham, Lord A.	O'Brien, T.
Corry, rt. hon. H.	Parker, J.
Cowper, hon. W. F.	Price, Sir R.
Craig, W. G.	Rice, E. R.
Cripps, W.	Rich, H.
Dalmeny, Lord	Ross, D. R.
Duckworth, Sir J. T. B.	Rumbold, C. E.
Dundas, Adm.	Rutherfurd, A.
Dundas, Sir D.	Seymer, H. K.
Escott, B.	Seymour, Sir H. B.
Gibson, rt. hon. T. M.	Smith, J. A.
Gladstone, Capt.	Somerville, Sir W. M.
Gore, hon. R.	Stanley, hon. W. O.
Graham, rt. hon. Sir J.	Stanton, W. H.
Harris, hon. Capt.	Strutt, rt. hon. E.
Hastie, A.	Talbot, C. R. M.
Hawes, B.	Thompson, Ald.
Hay, Sir A. L.	Thornely, T.
Herbert, rt. hon. S.	Trollope, Sir J.
Hobhouse, rt. hon. Sir J.	Tyrell, Sir J. T.
Howard, Sir R.	Waddington, H. S.
Hudson, G.	Ward, H. G.
Jervis, Sir J.	Wodehouse, E.
Layard, Major	Wyse, T.
Macaulay, rt. hon. T. B.	TELLERS.
Maitland, T.	Hill, Lord M.
Martin, J.	Tufnell, H.

House adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Friday, April 30, 1847.

Minutes.] Public Bills.—3ª and passed:—Prisons (Ireland); Commons Inclosure (No. 2).

Petitions Presented. From Guardians of the Medway Union, for Alteration of the Law of Settlement, and for the Substitution of a Union Settlement in lieu of a Parochial Settlement.—By the Bishop of Oxford, from Repton, and Banbury, in favour of the Government Plan of Education.—From Dunbar, in favour of the Conservancy of Tidal Waters.—From Haddington, for the Abolition of the Legacy Duty, and Inventory Stamp Duty, or to subject Real Property to a corresponding Tax.—From a great number of persons employed in Factories, for Limiting the Labour of all Females and Minors to Ten Hours.

ELECTION OF SCOTCH REPRESENTATIVE PEERS.

The Earl of EGLINTOUN rose, in pursuance of notice, to bring before their Lordships a subject of abuse which had from time to time occurred in the election of the Scotch representative Peers. He regretted that the duty had devolved upon him, in consequence of the absence of the Earl of Rosebery, who had long since turned his attention to the subject; at the same time, he did not hesitate to invite their Lordships to take the matter into consideration, inasmuch as he thought some legislative interference was necessary; and he was confident that, when the facts were laid before them, they would be anxious that the abuse of which he had to complain should be put a stop to. By the Act of Union, sixteen Peers of Scotland were fixed as the number to represent the Scotch Peers in the United Parliament, and these were to be elected by the whole body of the Peers of Scotland, their heirs and successors. It, therefore, became necessary to ascertain of whom the body of Scotch Peers consisted; and, in 1738, Sir James Murray brought a list of the Peers before the House of Lords. In obedience to the Orders of that House, that list remained as the basis of the Union Roll. At the election at Holyrood House, the names and titles that still remained on the Union Roll were called over; the oaths were then administered; the clerk then asked those Peers who had answered to their titles for their votes, which votes were immediately recorded. If any one claimed to be a son, grandson, or descendant of any of the titles on the Union Roll, it was impossible for the clerk to question the claim; he must record the vote, although, if any Peer objected, the vote might be recorded under protest. There was no writ or previous form requisite, so that if any person chose to go into the room at Holyrood House, and declare himself to be the son, grandson, or lineal decendant of any Peer on the Union Roll, his vote must be received. This evil had been on former occasions so strongly felt, that the House of Lords had appointed Committees to inquire into the subject. In 1822 a Committee was appointed, a report was made, and resolutions in pursuance of that report were passed, one of which was to the effect that no person should be entitled to vote at the election of a Representative Peer of Scotland other than the son, grandson, or other lineal descendant of a Peer of Scotland whose title was set forth in the Union Roll, or, on any objection being made, until his right should have been admitted by the House of Lords. Either this resolution was not sufficiently stringent, or it had not been put in force; at all events, it had not had the effect of preventing the malpractice of which he complained. Another Committee was appointed in 1832 to reconsider the subject; they sat; resolutions were passed; but, from some cause or other, nothing was done upon them. A short Bill was brought in by Lord Rosebery, but it did not pass into a law. Since then the circumstance had occurred out of

which the complaint he was anxious to provide a remedy for had arisen. In consequence of the death of Lord Rollo, and pursuant to Her Majesty's Proclamation, there was a meeting in Edinburgh, on the 17th of March last, to elect in the room of the deceased nobleman a Representative Peer for Scotland. On that occasion, on the Union Roll being called over, a person was present who claimed to be Lord Colville, of Ochiltree. The Earl of Selkirk was present and protested; at the same time, the vote of Lord Colville was received. At the election of 1788, a person voted with that title, and attempted to establish his claim; but after evidence was entered into, his counsel abandoned his case. Such occurrences as this all their Lordships must be as anxious as he (the Earl of Eglintoun) was to prevent, as they brought discredit, not only upon the Scotch Peerage, but upon the Peerage of England; and nothing, in his opinion, it was incumbent upon them to guard with more watchful care than their honours. It was necessary that their Lordships should uphold the character which they still bore in the country, and prevent any one coming amongst them who had no right to the distinction of the Peerage. He moved—

"That a Select Committee be appointed to take into Consideration the existing Laws and Regulations which relate to the Elections of the Representative Peers of Scotland; to consider what Steps should be taken to prevent Persons from voting at such Elections who are not entitled to do so; and to inquire into and report upon the Proceedings which took place at the Election of Lord Gray, on the 17th Day of March last."

Lord BROUGHAM said, the noble Earl had complained of an individual having voted for a Representative Peer of Scotland who had no title to vote; but, unfortunately, there were no means of establishing his claim, unless he came before that House. One of the resolutions of the Committee, which had been referred to by the noble Earl, had pointed out a remedy. It proposed that those persons who, in consequence of their titles being upon the Union Roll, had voted, and whose votes had never been disputed since 1801, should be allowed to vote without any qualification; but that no other persons should be suffered to vote; and the clerk registrar was required not to receive their vote, unless they produced a writ of qualification, in the shape of a certificate from the Speaker of that House, the Lord Chancellor, or the Lord Keeper. That was the main resolution of the Committee of 1831, and this was objected to by many Scotch Peers; it was a question, however, whether their Lordships had the power to issue such an order, which did not follow because the Committee had passed that resolution. The Speaker of the House of Commons had no power to issue an order to the sheriff to allow particular persons to vote for a Member of Parliament. This difficulty was felt in the Committee, and he mentioned this as an excuse for the House not acting upon the resolution. The Committee felt the evil most strongly, and were of opinion that the plan proposed in the resolution would afford an effectual remedy.

The Marquess of LANSDOWNE was understood to offer no objection to the appointment of the Committee.

Lord CAMPBELL said, it had come to his knowledge that, by the existing state of the law respecting Scotch Peerages, tradesmen had suffered grievous losses. Let a person merely say he was a Peer, and he had unlimited credit. Not only the public suffered by this, but the individuals themselves. He knew a case in which a respectable individual had been told that he was entitled to a Scotch Peerage, and unfortunately, from that moment, he abandoned all he had in this country; his family, thinking they had acquired this distinction, followed the same unfortunate course, and were utterly ruined and undone by the notion. He was only sorry that the noble Earl had not gone a little further, and extended the inquiries of the Committee to the abuses as to the assumption of English titles, from which similar misfortunes had happened both to individuals and to the public.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Friday, April 30, 1847.

Minutes.] Public Bills. 1° Savings Banks Annuities. 2° Drainage of Lands (Scotland); Passengers Act Amendment.

3° and passed:—Naval Prisons.

Petitions Presented. By Mr. Bouverie, from Society for the Abolition of Ecclesiastical Courts, for Alteration of Law respecting those Courts.—By Mr. Rumbold, from Norwich, for Alteration of the Law of Marriage.—By Mr. T. Mackenzie, from Members of the Synod of Ross, against the Marriage (Scotland) Bill.—By Mr. O. Morgan, from Monmouth, against the Roman Catholic Relief Bill.—By Mr. Chute, from Norfolk, for Repeal of the Duty on Malt.—By Mr. R. Trevor, from Llandilo (Carmarthen), for Regulating the Qualification to become Chemists and Druggists.—By Mr. O. Morgan, from two

places in Wales, against, and by Lord John Russell, from several places, in favour of the Government Plan of Education; and by Sir W. Molesworth, from Liverpool, for Alteration of the same.—By Lord E. Bruce, from Marlborough, in favour of the Health of Towns Bill.—By Sir Dennis Le Marchant, from Worcester, in favour of the Juvenile Offenders Bill.—By Mr. T. Duncombe, from Members of the Alleged Lunatics Friend Society, for Inquiry respecting Lunatics and Lunatic Asylums.—From Richard Beadon Bradley, Clerk, A.B., Incumbent of Ash Priors and Cothelstone, Somerset, and Curate of East Teignmouth, Devon, for the Establishment of a National Benefit Society.—By Mr. A. Duncombe, from Clerks, Masters, and Matrons of numerous Workhouses, for a Superannuation Fund for Poor Law Officers.—By Mr. Duncan, and Mr. T. Mackenzie, from several places in Scotland, against the Registering Births, &c. (Scotland) Bill.

THE WINCHESTER SESSIONS.

Mr. ESCOTT rose to put a question to the right Baronet the Secretary for the Home Department, respecting the administration of justice in the city of Winchester. The information upon which he proposed to put this question was derived from intelligence which he had seen in the newspapers. *The Times* of that morning contained a paragraph, which doubtless had been copied from the *Hampshire Independent*. The paragraph stated, that the Recorder of Winchester had resigned his office; that no successor to that learned person had been appointed; that therefore the trials, which ought to have come on at the Easter sessions, had been infinitely postponed; and that the prisoners whose cases ought to have been disposed of still remained untried. He wished, in the first place, to know if a new Recorder had been appointed, and, if not, whether the right hon. Baronet at the head of the Home Department was prepared to suggest any means by which the existing inconvenience could be remedied?

Sir G. GREY said, that he also had seen the paragraph to which the hon. Member referred; but as to the facts he possessed no information beyond that which the newspapers furnished. The Easter sessions had been appointed to commence on Easter Monday. Upon the 31st of March, a few days previous to Easter Monday, the late Recorder of Winchester sent in his resignation. During the interval which elapsed between that day and the time appointed for holding the sessions, it was evidently impossible to effect the appointment of a successor to the learned gentleman who had just retired from office. No reference had been made to him on the subject by the authorities at Winchester, but he should lose no time in making inquiries.

THE FACTORIES ACT.

Sir W. JAMES wished to put a question to the right hon. Baronet at the head of the Home Department—a question respecting which he had taken the liberty to give him notice. He did not know whether it would be in the recollection of the House, that he had in the early part of the present Session put a question to the right hon. Baronet similar to the inquiry which he now proposed to address to him. In the early part of the present Session he inquired if it was the intention of Her Majesty's Government to introduce any measure for the amendment of the Factory Act, with reference—1st, to the education of children in printworks; 2nd, with respect to the regulation of silk mills; and, 3rd, as regarded the casing and guarding of machinery. When he put the question upon a former occasion, the answer which he received was, that two of those subjects would be taken up by the Government; but the right hon. Gentleman was silent with regard to the silk mills. They had all, he thought, agreed that the question should as soon as possible be brought to a final settlement; but he regretted to say that it still remained untouched.

Sir G. GREY replied, that with regard to the Bills which the hon. Member mentioned, the intentions of the Government had not undergone any change. There was a good deal of difficulty about casing and guarding machinery. Large powers had already been granted to the Factory Commissioners; but there were difficulties in carrying into effect the spirit of the recommendations made by the inspectors; and he apprehended that it would be necessary to make additional references to the inspectors before they proceeded further with their intended measures. At present those inspectors were out of town.

THE POOR LAW.

Mr. FERRAND rose to advert to the extraordinary conduct of the Government with reference to the New Poor Law. Three months had now elapsed since the present Session of Parliament commenced, and yet the Government up to the present moment had not introduced their promised Amendment of the New Poor Law. It would of course be recollected, that a Committee had been appointed in the last Session of Parliament; and on the 20th of August, 1846, that Committee reported in the following language—

"That on a review of the proceedings of the

Commissioners with respect to the Andover inquiry, and towards Mr. Parker and Mr. Day, it appears that they have been irregular and arbitrary, not in accordance with the Statute under which they exercise their functions, and such as to shake public confidence in their administration of the law."

For more than eight months the Government had been screening those Commissioners; and since the commencement of the present Session the right hon. Baronet at the head of the Home Department had promised the House a Bill for the Amendment of the New Poor Law. The right hon. Baronet had, as they all knew, placed a notice on the Votes of the House announcing his intention to bring forward such a measure; but, as far as he could see, there was not at the present moment the least probability of any such proposition coming under discussion. It was found impracticable to bring it forward last night; and now the right hon. Baronet placed it on the Votes for Monday next, when three or four other Motions would have precedence of it. If they intended to take any such step, he could not understand why they should not proceed with it immediately; why not fix it definitely for Tuesday next? He was anxious to obtain from the right hon. Baronet a clear and distinct pledge that he would bring forward his intended Bill on a Government night. What he thought the House and the country had a right to expect was, that the right hon. Baronet should place a notice on the books with respect to his measure, arranging that it should have precedence of all other business, but yet fixing such a time for its discussion as would give those hon. Members who were interested in the proceeding full notice that they might be able to attend in their places. He hoped that this would be done, and that the right hon. Baronet would not go on night after night postponing the measure, and giving no opportunity for its discussion. The opponents of the proposed Bill had behaved towards the right hon. Baronet in the fairest and the handsomest manner. He had only to add, that unless some early day were appointed for proceeding with the Bill, he should himself make a Motion upon the subject on reading the first Order of the Day. He now wished to know whether the right hon. Baronet would fix a day for proceeding with this Bill?

Sir G. GREY, in answer, observed that he had put his notice of moving for leave on the Paper for last night, thinking that other business might be over sufficiently early to enable him to make his statement. He had not anticipated that merely moving for leave to bring in a Bill, and stating the outline of its provisions, would lead to discussion; but after the measure had been introduced and printed, he intended to fix an early Government Order-day for the second reading, when the debate could be taken. He had been in communication with Gentlemen at a late hour last night, and found that he could not then proceed; and he had, therefore, fixed the question for Monday next. The third reading of the Factory Bill, it was true, stood for that day; but perhaps it would be disposed of at a sufficiently early hour to enable him to make his statement on the Poor Law. On an Order-day, Orders must of course take precedence; and he could only come forward after they were disposed of. On Monday next, if it were possible, it was his full intention to move for leave to bring in the Bill, which was drawn and prepared; and if not on Monday, on the earliest opportunity. When the measure was once in the House, he proposed to proceed with it with all the speed compatible with the convenience of hon. Members.

PIERS, HARBOURS, AND RAILWAYS (IRELAND).—THE MONETARY CRISIS.

On the question, that the Order of the Day for the House to go into Committee upon Piers, Harbours, and Railways (Ireland), be read,

Mr. ROEBUCK said, it was with great reluctance that he addressed the House for the purpose of submitting a Motion for their consideration. He begged, in the first place, to assure noble Lords and hon. Gentlemen on the Treasury bench, that the question which they were called on to debate, was itself fairly bafore the House, and he was anxious to take the first favourable opportunity of engaging in its discussion. It was said, that he too frequently yielded to a disposition to cavil at the measures brought forward by Her Majesty's Government; and it was true that he frequently found it necessary to make them the subjects of censure and animadversion; but he denied, that in pursuing that course he was destitute of support out of doors; and he could sincerely say, that he never opposed anything which he conscientiously believed the exigences of the country required. By the present proceeding, what was the House asked to do? They were asked to go into a Committee of Supply, for the purpose of doing that

which the present Ministers of the Crown had over and over again assured them would be in the highest degree inimical to the interests of the country. He begged to recall the circumstances of the case to the recollection of hon. Members. At the commencement of the present Session, the noble Lord the Member for Lynn proposed to the House a measure for establishing railways in Ireland. He hoped the House would also recollect, that at the time that proposition was brought forward, this country was in a very different condition from that in which it was at the present moment. There was then much apparent commercial prosperity. There was no pressure upon the money market. According to the plan of the noble Lord the Member for Lynn, there certainly was to be an advance for the Irish railways of 16,000,000*l.*; but then it was to be advanced in sums of 4,000,000*l.* each year. There was at that time, he repeated, considerable prosperity; there was no alarm; and yet the Government opposed the proposition of the noble Lord the Member for Lynn in a manner the most unqualified and unyielding; and now, what did the Chancellor of the Exchequer propose to do? Nothing less than to lend 620,000*l.* to three railway companies. Yet what was the language which he held when the noble Lord the Member for Lynn brought forward his Motion upon a similar subject? The hon. and learned Gentleman was proceeding to quote the precise terms which the Chancellor of the Exchequer had used upon the occasion in question—

MR. SPEAKER: The hon. and learned Member cannot quote reports of debates which occurred during the present Session.

MR. ROEBUCK: If he quoted in any respect erroneously, it would be from want of memory, and not in consequence of the least wish to misrepresent the arguments used by the right hon. Gentleman. The right hon. Gentleman might, on that occasion, have used such arguments as these, viz., that it did not become the Government to enact the part of a great money lender; that it formed no part of the duty of the Government to provide 16,000,000*l.* for the use of any set of public companies. Amongst the arguments which the Chancellor of the Exchequer might use was this—and probably he had—that the railways which it was thus intended to support, were pre-eminently prosperous, and therefore worthy of confidence; but that argument might be made use of in a totally opposite direction, because, if they were so prosperous as he thought proper to represent them, they did not stand in need of any pecuniary assistance. The fact of their prosperity was the best possible reason why the money should not be given to them. It was said, that if the Government interfered in matters of money lending, they might go into the market against any private parties, and with the power and influence of Government might very materially operate upon transactions with which they had no right to interfere. If those were the circumstances, and those the grounds upon which the proposition of the noble Lord the Member for Lynn was rejected, what were the circumstances that had since arisen that could justify Her Majesty's Government in taking that course which, during the present Session of Parliament, they deeply condemned when it proceeded from the noble Member for Lynn? At all events, the proposition of the noble Lord was not a peddling measure; it was a bold, if not a wise plan; but the present scheme possessed nothing of the recommendations which attached to that of the noble Member for Lynn. Let the House look at the circumstances. They had certainly undergone a great change in the interval; but it was a change which made much more against the plan of the Government than in its favour. The changes which had occurred were most vital and important. At the time which he had been describing there was no alarm, no danger; but what was the situation of the country now? There was excitement and apprehension throughout the country. Was it not a fact that the Chancellor of the Exchequer received daily communications from Liverpool, Manchester, Glasgow, Leeds, and the other great towns? Had he not received several alarming communications from the Bank of England? Was it not a fact, that even within the last twenty-four hours the difficulties of the money market had increased; that no money could now be obtained for the best bills, or at all events that the rate of discount was so enormous that prudent men hesitated to convert any paper into money? That, then, was the time at which the Chancellor of the Exchequer proposed to add to the burdens which the country already endured. Why did he not, on the contrary, consent to the proposition long ago made, when an hon. Member of that House told him that he alone could set

15,000 men to work upon the Irish railways? What distinguished this case from the former one, except that we were now in greater danger? And it appeared, too, that the companies were to have this money from the Government at a rate of interest at which they could not obtain it anywhere else. Was it the situation of Ireland that the right hon. Gentleman urged as his reason for this advance? In what respect was that situation changed from what it was when the right hon. Gentleman opposed the noble Lord's proposition? The argument used in Mr. Trevelyan's letter, then so much relied on, applied equally now. He said, that what was wanted in Ireland, was relief for the destitute, the aged, the women and children, and that measures introduced with a view to promote employment would not meet the emergency. Upon that letter it was argued by the Government at that time that the noble Lord's proposition would do no good; but the Government had themselves since attempted the employment system, and it had broken down; so that they were obliged to resort to the system of giving actual food, because the other system had deranged the whole of the ordinary transactions of life. They were called on to vote 620,000*l.* for Irish railways, after not only deranging the whole social system of Ireland by pecuniary advances to that country; but also the whole social and monetary system of England. For it was of no use to ascribe the disorder of our finances to what was called Sir R. Peel's Bill. It was caused by the Government having taken the money of the people of England in large masses; they had pushed into the market and deranged the whole monetary system. And yet, in the midst of this hubbub, when to the state of things impending might almost be applied the phrase of the French orator, "a hideous bankruptcy," down came the Chancellor of the Exchequer, with his smiling face and gay demeanour, to make this pitiful proposal, to add the last feather to the weight that was crushing the suffering people of this country. He appealed to every Gentleman who valued consistency—and especially to those who used not long since to talk so much about it—he appealed to those who formed the majority against the Bill of the noble Lord the Member for Lynn—to support him in his present attempt to prevent the House from going into Committee. If his opposition proved successful, they might depend on it they would never hear any more of the right hon. Gentleman's proposition. If he failed, and the money were afterwards voted, he believed that the people of this country would read to that House and the Ministers a lesson they would not soon forget. The hon. and learned Member concluded by moving as an Amendment, "That the other Orders of the Day be now read."

The CHANCELLOR OF THE EXCHEQUER said, he considered that he should be setting a very bad example if, by going into the discussion of the question raised by the hon. and learned Member, he were to adopt the irregular course taken by him. The hon. and learned Member had not only replied to a speech made by him in a former debate, but he had also been arguing on a proposition which was not substantially before the House. The hon. and learned Member ought to have waited till the House went into Committee. The course he had proposed to pursue was, to have asked the House to go into Committee, and in Committee to have made his statement. He hoped the House would agree to that course, and go into Committee, so that the proceedings might be carried on in accordance with the usual forms of the House.

On the question that the words proposed to be left out, stand part of the question,

The House divided:—Ayes 203; Noes 14: Majority 189.

List of the NOES.

Collett, J.	Phillips, M.
Duncan, Visct.	Trelawny, J. S.
Duncan, G.	Williams, W.
Escott, B.	Wood, Col. T.
Gisborne, T.	Yorke, hon. E. T.
Hume, J.	
Irton, S.	TELLERS.
Molesworth, Sir W.	Duncombe, T.
Pattison, J.	Roebuck, J. A.

Main question again put,

MR. HUME expressed his great surprise at the division that had taken place. He was surprised that there should be so many in that House who were prepared at the present time to vote away the public money. His hon. and learned Friend had, he conceived, taken the right time to put his objection to the grant of any money whatever for the purpose proposed. Every Member who had just voted for going into Committee, had pledged himself to vote some money for that purpose. ["No, no!"] Yes; it was now a question of "how much?"—not a question whether any at all should be given. Any one who had voted with

the majority, who should afterwards vote against any grant for Irish railways, would have stultified himself, by having first voted for, and then against, such proposition.

House in Committee.

The CHANCELLOR OF THE EXCHEQUER: Sir, I believe that it will be convenient, before going further, that I should make a short statement to the Committee; because, although I had an opportunity on a former occasion of addressing the House, it was at a very late hour of the night, and I have found that no inconsiderable misapprehension prevails as to the views and intentions of the Government on this subject. Sir, the question now before the House divides itself into two distinct subjects, which I do not say are unconnected; but it is clear, from what passed three or four nights ago, that we shall have to consider the question of the monetary state of the country—that we shall have to consider the operation of the laws regulating the currency, as well as to consider the propriety of voting a sum to be placed at the disposal of the Exchequer Loan Commissioners for the construction of railways in Ireland. As to the first question, that of the monetary condition of the country, I have already had an opportunity of making a statement which I hope may have been sufficient to set right the misapprehension under which many hon. Members laboured; and to lead them to a more correct appreciation as to the facts, and also as to the conduct of the Government. I endeavoured to correct that misapprehension, and to prove to the House, that, so far as the law relating to the currency is concerned, the present state of the money market is owing, not to the operation of that Act, but to a neglect of the sound principles on which that Act was framed. I think it is expedient that I should now make a short statement in reference to the state of panic and alarm—for I can qualify it by no less strong terms—which has prevailed for some days past in the city, and also in several parts of the country. The extent to which this panic and alarm have prevailed, does seem to me, Sir, to be utterly and altogether without foundation. Extreme caution and care may be required at the present moment, not only on the part of that great establishment the Bank of England, but also on the part of the country banks. But the present apprehension, in my opinion, goes far beyond any measure of caution and prudence, and is calculated to produce the very effects which it would endeavour to prevent. Hon. Gentlemen have been in possession of documents which show that since the last publication of returns, the condition of the Bank of England has materially improved. They will find that the returns of April 24, as compared with those of April 17, show a considerable improvement in that condition; that the liabilities of the Bank have diminished, and her means of meeting them have increased. This morning I have had an interview with the Governor of the Bank of England; and I was glad to learn that even since Saturday last the condition of the Bank has considerably improved. I am informed that the Bank has been enabled during the last week, on two separate days, to give increased facilities in the money market; and I am also happy to say, that the deputation who had an interview with my noble Friend (Lord J. Russell) and myself, two days ago, to represent the distressed state of affairs in the north of England, were much better satisfied to-day than when they came to us two or three days ago. I have even been told by one person who participated in the alarm which has prevailed, that there are more bank-notes in circulation than he thought necessary; and that if the pressure had been much greater than it has been, we might have gone through it and sustained it without any serious consequences, if it had only come upon them less suddenly. It is clear that the effort which the Bank of England thought it necessary to make, has been made. It is now over; and, although the returns show that prudence and caution may be necessary, I think I may congratulate the House on the fact, that the extreme pressure of the last fortnight may be said to be at an end. The increased price of stocks to-day may be said to be owing to a circumstance which was perfectly unforeseen, and on which no one could have calculated. We ought not, perhaps, to build much upon this. [*The right hon. Gentleman was understood to refer to the announcement of the intention of the Emperor of Russia to make large investments in English Government Securities.*] But we may build something upon the fact, that our exchanges with Europe are more favourable; that the advices from America are of a far more satisfactory character; that the Bank of England does not expect that it will be obliged to continue that extreme

pressure which it has recently felt to be necessary; and that the demand for gold from America is likely to be less than was expected. I do not say this to prevent persons from still taking all possible care and caution, but to remove the excess of alarm, which is quite unfounded, and likely to prove more disastrous than the real evil. Sir, turning from that part of the subject, I now approach the course which the Government intend to take respecting Irish railways, and upon which misrepresentations have taken place, not only as to the nature of the assistance to be given, but it has also been said that they intended to raise an additional loan for the purpose. Nothing is further from their intentions. In the statement which my noble Friend (Lord J. Russell) made early in the present Session, and which I, to a certain extent, repeated in the course of the same debate, we described the course which the Government had taken, and were about to take, for the relief of distress in Ireland, and for providing employment for the people. My noble Friend stated, that we had had in the autumn no other course to take, and, indeed, no option on the subject, but to pursue the same mode of relief which had been commenced by the late Government by employing persons on relief works, advancing the whole of the money necessary for that purpose, a moiety of which is to be repaid by the Irish baronies. Subsequently we proposed to substitute relief of distress by the distribution of food instead of employment on the relief works. But I said, also, that the Government thought it advisable to foster private enterprise as much as possible, and to give employment to the people in that way. Two Bills were introduced relative to Ireland: one a Bill which has passed the House, a Bill for the improvement of landed property, for which 1,000,000*l.* of money was voted; and another a Bill for the reclamation of waste lands, which would have given another 1,000,000*l.* to carry that Act into effect. The result of these two measures, if they had passed, would have been, that the sum of 2,000,000*l.* would have been voted by Parliament for the encouragement of private enterprise in Ireland, and for employing the people. And I stated further, that I proposed a loan of 8,000,000*l.* for the purpose of assisting the relief of distress in Ireland, and that a part of that sum would be apportioned to the objects I have stated. I never said, that the whole of that loan would be devoted to the relief works, but that advances for all the purposes of relieving Irish distress, and all advances for employing persons, would be so much taken away and subtracted from the relief funds. And having made this statement on more than one occasion, I do not understand how anybody can fancy that I intend to issue additional Exchequer-bills, or to raise an additional loan for Irish purposes. Of the two measures I just now alluded to, the most advantageous was felt to be that for the improvement of landed property in Ireland. It was felt that the sum advanced was insufficient; and before the Bill left the House, the sum was increased from 1,000,000*l.* to 1,500,000*l.*, leaving 500,000*l.* only available, instead of 1,000,000*l.*, for the reclamation of waste lands in Ireland. But hon. Members know that great differences of opinion existed as to the advances necessary for reclaiming waste lands; and it was the opinion of many hon. Gentlemen that it was inexpedient that it should be a compulsory measure. We felt doubtful of the reception of the Bill with compulsory powers. After discussing the subject, we determined to abandon the compulsory provisions of the Bill; but in doing so we abandoned a great portion of that which had rendered it most available for practical purposes in those parts of the country in which employment was most wanted. We then made an attempt to put the Bill into a practical shape, as a voluntary measure; but after consulting with several lawyers and other hon. Members of experience, the result of our deliberations convinced us that it would be so exceedingly difficult to put the Bill into a shape in which it could be made to work this year, that the Government were compelled to abandon any intention of passing that Bill through Parliament this Session. I do think it would have been impossible to pass a Bill which could have been brought into operation this year. I know that there are many persons who attach great importance to that Bill. But my hon. Friend behind me (Mr. Poulett Scrope) who cheers me, would not be, I think, so attached to that Bill, if he was aware of the immediate difficulties in the way of carrying it into effect. Well, the Bill for the reclamation of waste lands having been abandoned, the sum of 500,000*l.* applicable for that Bill is released from those purposes, and is therefore available

either for the purposes of relief works, or for any mode of encouraging private enterprise in Ireland which may be considered most desirable. With regard to relief works, the House is aware that they have been discontinued as rapidly as possible; and upon this subject I am able to make a statement to the House which I hope will be considered satisfactory. The number of persons employed on the public works in March was 734,000. A reduction of 20 per cent was made at the latter end of March, which was effected without the least difficulty, and which reduced the number to 579,000. A further reduction took place also without any difficulty, and another reduction will take place on the 1st of May; which will bring down the number of persons employed in Ireland to about 280,000. Thus we have a maximum number of 734,000 in March, which we shall be able to reduce to probably not more than 280,000 by the 1st of next month. Sir, I stated on Monday night how considerable the reduction was in the amount of wages paid to these persons; a reduction of about one-half in the weekly amount having taken place since the beginning of March, as compared with the end of April. An hon. Gentleman has asked me what increase has taken place in the sums placed at the disposal of the relief committees in Ireland? I am now able to say, that a very small sum has been advanced for these purposes, and that the persons discharged from the public works have been mainly absorbed in employment upon the land. The seed time and the setting of potatoes are now nearly concluded; and, from the accounts we receive from Ireland, we have strong reason to believe that a much larger quantity of wheat, of spring crops, and of green crops, has been sown than might be supposed; and that in parts of Ireland nearly the ordinary quantity of potatoes has been planted. In some parts of Ireland, indeed, we are informed there has been found an adequate quantity of seed, and that sufficient potatoes have not only been reserved for seed, but some have been left as an article of consumption. We propose to reduce the employment on the public works, but we do not propose to discontinue giving employment to the people in parts of Ireland, because the works in some places would be left in a useless state, and it is necessary to finish them; and there are many works, in various parts of Ireland, which it is exceedingly important to execute. In many parts of Ireland, especially the wilder parts, the works executed have been of the most beneficial character. An officer of the Board of Works, writing from Cork, says—

"The works, as far as the character of them is concerned, are beautifully executed, and reflect credit on all employed in them; and this, too, in the remotest and most neglected districts. The roads I visited are all of the greatest importance as reproductive works, and, I do not hesitate to say, will have advanced the civilization of those parts at least thirty years; whilst, by opening some thousand acres of remarkably fine mountain, the future means of subsistence to a large extent will be increased, and which must become a very important object."

I have another account from the county of Kerry, equally satisfactory:—

"The great bulk of the roads in this barony that have been passed (I know it as a magistrate who was present when they were passed) are useful and productive undertakings, opening mountain tracts and facilitating the transit of sea manure and fuel; most of them roads that, sooner or later, the country would have had made at their own expense, and certainly for not so small a sum as the moiety of their cost, which is to fall on the cesspayers of this country."

The general character of the Government works has been useful; but where we propose to continue them it will be as public and beneficial works, and not merely as relief works. Parties will be paid, reverting to the old system, according to the work actually done. We propose to abolish the vicious system in which public works and relief are so mingled, that it is impossible either for the works to be well done, or the relief to be well administered. There are, however, parts of Ireland in which works are not so readily to be found, and there we are obliged to have a substitute for them. Sir, one of the great railway lines in Ireland is of so peculiar and so exceptional a character, that it would be advantageous to make that company an advance under any circumstances. The larger portion of the advance it is now proposed to make, is to the Great South Western Railway—the great line of communication which connects Dublin with Limerick, and Dublin with Cork. When that line was first proposed, a communication was made to the right hon. Baronet opposite, who was then First Lord of the Treasury, and the right hon. Gentleman sitting near him, who then filled the office of Chancellor of the Exchequer, who replied as follows, in a document which has been laid before Parliament:—

"When a portion of the line shall have been so far completed as to become productive, and thereby to offer sufficient security for an advance of public money by way of loan for the execution of another portion of the line, it will then be open to the company to apply to the Treasury to sanction such advance; and it appears to us highly probable, that in the case supposed, the Treasury would be disposed to give to such an application the most favourable consideration in their power."

It is quite true that, on a subsequent occasion last year, the railway directors applied to the Treasury to advance a loan of 500,000*l.* to enable them to continue their line, which request was not acceded to; but the application was referred to the Exchequer Loan Commissioners. An offer of a loan of 250,000*l.* was made, which the railway company declined to accept, because they were then able to raise the money at as low a rate of interest in the money market as that at which the Government were then willing to lend it to them, and in consequence the money was not advanced. I am not stating this as disapproving of the course they pursued, but to show that this was a line the importance of which has been from the first acknowledged; and that a loan for the construction of lines of this description, the importance of which has been admitted, is a very different thing from advancing money for the formation of railroads in any part of Ireland. On the application being made to the Treasury, we immediately referred the applicants to the Public Works Loan Commissioners, desiring them to deal with the application as they would in any other case. The Public Works Loan Commissioners reported that they thought the undertaking one that ought to be promoted; that they considered the security ample; that the portion of the line already constructed offered sufficient security for the whole of the advance which was applied for; that they would be disposed to make the loan themselves if they had funds at their disposal for the purpose; but that the sum allotted to them by Parliament for making advances during the year, was not sufficient to enable them to afford assistance in this case; and that they could not make any advance unless additional funds were placed at their disposal. I think, Sir, there is some difference between the Government themselves appearing as money-lenders in the market, and their advancing a sum to the Public Works Loan Commissioners, in addition to the amount annually placed at the disposal of those Commissioners by Parliament, for the purpose of enabling them to make loans for the construction of works of this description. Now, the state of the South Western Company is this: the whole of their line is about 200 miles in length; fifty-six miles, to Carlow, are already open, and the traffic upon that portion of the line has been so great that the ordinary returns pay a sufficient rate of interest to afford ample security. It is no doubt in consequence of the present high rate of interest in the money market of London, that this company is not able to carry on its works as rapidly as it might otherwise have done; and, if the directors do not obtain an advance, the consequence will be that they will be obliged to discharge a considerable number of persons whom they have employed throughout the winter, as they say—and I believe truly—not altogether with a view to their own advantage, but in a great measure for the purpose of affording employment to the distressed poor in the county of Cork. With this view, I believe they have engaged gangs of workmen on those portions of the line where they thought it most advisable to afford employment to the people; and unless the company obtains some advance, a large body of workmen, to the number I stated on a former evening, will necessarily be discharged. The calls hitherto made by the directors have been paid up, and many parties have paid their calls in anticipation of the exercise of the power intrusted to the company by Act of Parliament; and indeed they have, to the utmost extent of their ability, done their best to complete the railroad. They hope, if this advance is made to them, to be able to complete about 110 miles more, to the point of junction with the Limerick and Waterford Railway, which is nearly completed; and they hope to have the line open to Limerick early in the autumn, and that it will be completed to Mallow before 1848. There are difficulties, I understand, connected with the line of road between Mallow and Cork, which will cause some delay in the completion of that portion of the line; but, as I have said, the directors hope to open the line to Limerick early in the autumn, and to Mallow before the end of the present year. They have entered into contracts for the work; and the whole sum advanced by the Government, as well as that paid by the shareholders, will be employed in the actual construction of earthworks and brickwork on the line. They have already bought and paid for their engines, car-

riages, and for the rails required to continue the line to Mallow; and, consequently, the whole expenditure will be employed in the encouragement of labour in Ireland—not merely the 500,000*l.* which it is proposed the Government shall advance, but the same sum to be raised by calls upon the shareholders. We stipulate that for every 100,000*l.* advanced by the Government, the company are to lay down a similar sum, and that the second advance of 100,000*l.* by the Government, is not to be paid until the company prove that the first sum of 200,000*l.*—one-half of that amount raised by themselves, and the other half advanced by the Government—has been actually expended. These are the circumstances under which we think it not a disadvantageous proposal to make the advance I have mentioned to this company. It must be remembered that there is this difference between advancing money for relief works and for the construction of railways—that in the former case one-half only of the amount advanced will be repaid, while in the latter the whole will be returned. The Public Works' Loan Commissioners have also recommended Her Majesty's Government to make advances to two other railway companies—the Waterford and Kilkenny Railway Company, whose line passes through a part of the country which has suffered very materially from distress, and to which we propose to advance the sum of 83,000*l.*—and the Dublin and Drogheda Company, to which we intend to advance 36,000*l.* I will now state the purpose of the second resolution which I propose to put into the hands of the Chairman. At the end of the last Session of Parliament, a vote of this House was taken for 50,000*l.*, to be advanced by way of grant for the purpose of promoting useful works in Ireland, on condition that one-half of the amount required for such works should be contributed by their projectors, to meet the grants to be made by the Government. I find that no applications have been received for grants from this vote, with the exception of an application for aid to improve the navigation of the Hiade and of the upper part of the Shannon. It is believed that it would be most advantageous to the county of Roscommon and to Sligo, if the navigation of the Hiade and that of the upper part of the Shannon were improved, so as to enable a larger description of steamers to go further up the river than they can do at present. It is proposed, therefore, to apply to this purpose 10,000*l.* from the vote I have mentioned, leaving a balance of 40,000*l.* undisposed of. Now, as we have not received any application for grants from this vote, we do not believe that it is advisable to continue that sum applicable to the purposes for which it is voted. We find that of all the works constructed under the Bill introduced by the Government early last Session, none have been so advantageous as the fishery piers. No works are, I believe, so generally useful, or will contribute so materially to increase the supply of food in Ireland. By the establishment of curing houses on parts of the western coast, the people have been induced to use salt fish very extensively as an article of food; a considerable fishery has been carried on, large supplies of fish have been provided; and the people have been enabled as nearly as possible to pay their way. On a reference to the Board of Works, who have the administration of the funds, I was told by the chairman that there was no purpose to which money could be so well appropriated as to the construction of these piers. We propose, therefore, to grant no money whatever, beyond this 10,000*l.*, for improving the navigation of the Hiade and the Shannon, for the purpose contemplated by the Act of Parliament, but to devote the balance of 40,000*l.* from the sum voted last year for useful works to carrying out the objects of the Fishery Piers Act of last Session. There will, therefore, be no addition to the sum already voted by Parliament, but merely a different appropriation of the money. My object has been to state what the views of the Government are, that hon. Gentlemen may come to this discussion under no misapprehension of our intentions. I do not wish to enter at present into any controversial argument, or to attempt any reply to what has been said. It may be necessary for me to do so afterwards, but at present I merely wish to state to the Committee what are the views and intentions of the Government.

Question again put as moved on Monday:—

"That the Commissioners of Her Majesty's Treasury be authorized to direct Advances to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Commissioners for the issue of Loans for Public Works and Fisheries, &c., to an amount not exceeding 620,000*l.* in the whole, to be by them advanced towards defraying the expense of making the following Railways in Ireland, viz.:—The Great Southern and Western Railway; the Wa-

terford and Kilkenny Railway; and the Dublin and Drogheda Railway."

Mr. GOULBURN: I am glad, Sir, that I had not an opportunity of addressing the House on Monday; for, if I had then followed the right hon. Gentlemen who has just sat down, I should have taken a view of the proposition then submitted to the House very different from that which I am now disposed to take of it after the explanation he has given; for I certainly was not aware that the right hon. Baronet had proposed the limitation—or rather the withdrawal—of those funds which it has already been announced were likely to be appropriated to the cultivation of waste lands in Ireland. I saw upon the Paper a Notice from the Secretary for Ireland that that subject was to be brought under discussion; and I naturally imagined that, in addition to whatever charge might result from the proposition of the Chancellor of the Exchequer, the House would be called upon to provide the 1,000,000*l.* originally announced as necessary for the cultivation of waste lands. I believe that if that scheme had been prosecuted at all, it would have led to a much more considerable expenditure. I am extremely glad, therefore, that I had not an opportunity of addressing the House till after the speech the right hon. Gentleman has made to-night. I partake, in common with this House, in the satisfaction which they must have derived from the announcement made by the right hon. Gentleman in the early part of his observations, that the panic which has prevailed in the money market is, in a degree, subsiding; and that the Bank, having acted with less caution than was requisite in the management of the great transactions committed to it, is again placed in a situation to afford relief, to a considerable extent, to those who are suffering from its too great laxity in the first instance, and too great contraction afterwards. It is not sufficient for us to inculcate upon the Bank great prudence in the administration of the affairs that are committed to it. It is the duty of the House to take care that we ourselves adopt no course which is liable to the charge of imprudence, or which may lead to difficulty; and it is equally incumbent upon the House—without throwing censure upon those who have the administration of affairs, without at all doubting the difficulties in which they are placed, or cavilling at the means they may adopt to meet those difficulties—to point out to the Government the necessity of acting with that prudence which it is their duty not only to enforce upon others, but to set the example of observing themselves. If I feel any difficulty with respect to the Motion now before the Committee, it is from a consideration of the consequences which may follow from that Motion as regards the financial situation of this country. I think it the fairest course—not in a spirit of censure or of cavil, but with a view to ultimate precaution—to state the apprehensions I entertain, in order that being forewarned we may be forearmed, and that we may not involve ourselves eventually in serious pecuniary difficulty. Now, Sir, the proposition which the right hon. Baronet has made, purports to be merely an advance to three particular railway companies of a sum of 620,000*l.*; and as it is now explained by the right hon. Gentleman—though I was not aware of the circumstance when he addressed the House on the subject before—this sum of 620,000*l.* is not to be a grant in addition to those already made, but is to be taken out of the amount proposed to be raised by loan applicable to the general relief of the population of the sister country. In the first place I would observe, that what the right hon. Gentleman has stated with respect to this being merely an extension of the principle applicable to public works in general, appears to me not to be supported by the fact. The system upon which advances for public works in this country have latterly been made, is this:—a regular annual sum has been devoted to the purpose of assisting such public works, without distinction, as were able to afford sufficient security for the sums advanced; the advances so made are no burden whatever upon the Consolidated Fund. They do not in any way detract from the sums available for the public service. The Act of 1842 allotted 360,000*l.* a year for the purpose of making advances in cases in which they might be requisite; but the annual repayments on account of advances previously made have been amply sufficient to meet the new issues out of the fund; and consequently the advances for public works, confined within the limits prescribed by the Act, affected in no degree the financial arrangements of the country, as they, in fact, imposed no charge on the Consolidated Fund. The right hon. Gentleman, however, proposes, in consequence of the difficulty of

raising money on private security at the present moment, to make a large addition to the fund at the disposal of the Commissioners; and this is done to meet a particular case. I confess I do not contemplate this arrangement without some degree of apprehension. Of all things which I think this House ought most to guard against, there is nothing more important than to be careful how they give their sanction to grants out of the Consolidated Fund, either in the way of advances, or of positive grants; because it necessarily follows, that if, in addition to the annual charges which devolve upon the country, you make advances of large sums from time to time out of the Consolidated Fund, you reduce the balance in the Exchequer, and by that reduction you produce an augmentation of the quarterly deficiency bills, which, so far as they operate to divert to the assistance of Government the sums which might otherwise be available for the purpose of affording accommodation to trade, are, in periods of difficulty especially, a source of additional embarrassment. It is on this account that I view with peculiar jealousy any question submitted to the House for the augmentation of charges upon the Consolidated Fund; and if I had spoken on this subject on a former occasion, considering the very large charges to which that fund has been subjected during a recent period, it would have been one of my strongest arguments in derogation of the proposition of the Chancellor of the Exchequer, that he was imposing upon that fund such a charge, in addition to those already made upon it, as must inevitably entail, if not immediately, at least at some not very remote period, the difficulties which arise from an increase of the deficiency bills, and the consequences they produce upon the trade of the country. Although I am now relieved from this alarm, so far as regards the 1,000,000*l.* granted for the cultivation of waste lands, and the charge of 620,000*l.*, for which the Chancellor of the Exchequer tells us he has already provided, I cannot but think there is just ground for inculcating upon the Government yet more prudence with regard to their future arrangements. The right hon. Gentleman (the Chancellor of the Exchequer) proposes to make an advance to a particular railway company, which has paid up half its capital, and has complied with all the conditions imposed upon it. Now, I would ask, if the right hon. Gentleman makes this advance in the present case, can he refuse it to other railway companies which may come before him under similar circumstances? What is the advantage you are conferring upon those particular companies? They have arrived at a period when they are in a situation to borrow in the market, and when they may raise the money necessary to complete their works upon the terms on which money is to be procured in the market. It is their interest, as it is that of every railway company in the same situation, that their railroads should be completed within the shortest possible period; and with a view to the completion of the roads, they are prepared to make sacrifices, in order that they may obtain some return for the capital they have already expended. Now, if one of these companies were to go into the market at the present moment to borrow the 1,000,000*l.* which it requires, it would probably be required to pay 8 per cent. But the Government comes to its aid, and says, "We will lend you one-half this money at 5 per cent." What would be the effect of this proceeding upon a competing company—upon one which might have equal interests, which was in an equally prosperous condition, and which was equally ready to avail itself of such accommodation—if it was obliged to go into the market and borrow at 8 per cent? Is it not obvious that in the case of two competing lines, unless you extend your bounty to both equally, you give one an advantage over the other which is little consistent with justice? I think, therefore, that if the right hon. Baronet (the Chancellor of the Exchequer) consents to make the advance he now proposes, he will—unless he very distinctly proclaims to the contrary, and adheres to the proclamation when made—be pressed to make corresponding advances to all other similar undertakings which have fulfilled the conditions imposed upon them; and if this be the case, I know not to what amount I am pledging myself by supporting the proposition of the right hon. Gentleman. But if this system were extended, the greatest inconveniences would result from it. Railroad companies when assisted by the Government, by the loan of half the amount they require, at 5 per cent interest, when otherwise they could not obtain the money at less than 8 per cent, will be enabled to go into the market, and offer a higher rate of interest for the rest of the money that they want. For instance, if they obtain a certain

sum from Government at 5 per cent, they could afford to go into the market and offer 9 per cent for the remainder. This must have the effect of raising the rate of interest against other competing bodies in the market; and, therefore, if the system be adopted, you cause additional difficulties to other parties, by compelling them to come up to the terms which the company, assisted by the Government, may thereby be enabled to afford. It is particularly necessary, at the present moment, to inculcate, with a view to the future, maxims of great caution and prudence in transactions of this kind. We know how ready persons are to avail themselves of the slightest hope of assistance. We know with what weight they come down on the Government, and press claims capable of being supported by antecedent precedents; and we know how difficult it is, unless there be great determination on the part of the House and the Government, to resist claims so advanced. But if they are not resisted—if the present proposition, instead of being a solitary instance, is to be the origin of a series of measures of the same description—I fear for the Consolidated Fund, and I dread the consequences which may ultimately be produced by an acquiescence in these claims. This is a time for caution, independent of the panic which at present prevails. I, with the right hon. Gentleman, believe the present to be an exaggerated alarm arising from some misconduct on the part of those to whom the management of the monetary transactions of this country are committed. It was stated the other night by those best competent to form a judgment on the subject, that trade is in a healthy state—that there never was a greater absence of undue speculation. These circumstances lead me to believe, that whatever may be the amount of the present pressure, it will shortly subside. Still I see enough in the circumstances of the country at the present moment to induce me to enforce the greatest degree of prudence with respect to the future, lest we should involve ourselves in difficulties, not merely of a temporary character, from which it would not be possible to provide an easy escape. This country is in a peculiar condition, arising from a combination of causes, which combination, I believe, was never in any antecedent period known to exist. It is notorious that we have sustained from the hand of Providence the greatest of calamities which can afflict a nation. Part of the country has been visited by absolute famine, in consequence of which there has arisen a necessity to import a quantity of provisions beyond what in any antecedent period was ever imported. This calamity, too, has not been confined to this country alone, but has operated upon other countries in our immediate neighbourhood; and that circumstance has greatly contributed to enhance our difficulties. But added to this, there is another cause for monetary difficulty, which I see in prospect, and against which it is essential to take every possible precaution. The railway system in this country has prevailed to a most extraordinary extent. That system, productive as it is of a great increase of employment, and ultimately of great advantage to those who are embarked in it, does, however, in the first instance, operate prejudicially on the monetary interest. It is neither more nor less than converting the bulk of the floating capital of the country into fixed capital, thereby depriving the country of that return which the floating capital, if not locked up, would bring with it, and locking it up in that which for a considerable period cannot return even interest on the sums applied; and though at the present moment we are only dealing with the amount of railway speculation provided for in antecedent years, yet we cannot put out of consideration that the amount authorized by Parliament in the last year to be expended in railways, will come into operation at a future period, and increase the difficulty arising from the change of floating capital into fixed. It must be remembered, then, that we stand pretty much in the situation of a banker, who having a large capital at disposal should lock it up in the purchase of reversions, rather than apply it in the ordinary course of trade. The locking up of this capital and withdrawing it thereby from the manufacture of exportable articles, leads to a still greater demand for bullion to pay for the commodities which we are obliged to import. The application of the large sum which we have in prospect to undertakings of this kind, does for a time diffuse prosperity to the class employed on those works. But it withdraws from the manufacture of exportable commodities that sum which might otherwise be so employed; while, at the same time, it gives to the persons employed more ample means than ordinary of purchasing food and other articles of consumption. All this tends, in a time of scarcity, materially to enhance the imports,

and to render you, therefore, less able to provide, otherwise than by bullion, for the imported articles. Looking, then, to the results which may occur in ensuing years from the application to the railways of the large sum authorized to be so expended in the last and present Session, there is ground for caution as to how we interfere with the balances in the Exchequer. I ought also to add, that there is another circumstance which operates with scarcely less severity than the deficiency of food, and that is the deficiency of the cotton crop. The price which that commodity has reached, has materially added to the amount which this country must pay for an article hardly less necessary than of food. All these circumstances combined make me anxious to press on the Government the necessity of looking forward to what the state of the country may be, and of applying to themselves that advice which they so properly enforced on the Bank, of "being wise in time," and not letting their available resources get out of their hands, in the hope that they may afterwards, when a difficulty occurs, recover them. From these considerations I have been induced to press on the Government and the House the importance of extreme caution with respect to the charges which we impose on the revenue of the country. We are already under deep engagements, either for the support of Ireland, or for other necessary services. For draining, under the Acts of the last and present Sessions, we have authorized the issue from the Consolidated Fund of 3,500,000*l.* How far the extent of the demand on account of Ireland, arising either from employment on the public works, or from the necessity of making provision for the relief of the poor, or against fever and disease—all sources of considerable expense—how far they may be covered by the loan already made by the right hon. Gentleman, I have no means of calculating. If I am to calculate on the experience obtained previously to the April quarter, I might be apprehensive that the means provided by the right hon. Gentleman would not satisfy these demands. But he must be a better judge on this point. In addition, I would observe that the expense of the ordinary services of the year has increased beyond that of antecedent periods; that the balances in the Exchequer, which in January were 9,000,000*l.*, were in April little more than 5,000,000*l.*, and that any large demand on the part of the Government for loans from the Bank, would incapacitate that establishment from making the usual advances to traders. I trust, after the sentiments expressed by the right hon. Gentleman, that there is no cause for apprehension. I have only in conclusion to add, that in making these observations, so far from being actuated by any desire of embarrassing the Government, I have simply done so with the view of inculcating on the House and on the Government the necessity of timely prudence, in order that we may avoid real difficulties at a future period.

MR. FRENCH, in allusion to what fell from the Chancellor of the Exchequer, complained of the manner in which the adjoining counties to the Shannon had been assessed for the improvement of the river, which, after an expenditure of 400,000*l.* had, as an experimental drainage, turned out a failure—the floods were as high last year as they had ever been; nor would he consent to any further outlay, unless on the express condition that the counties were to be no further taxed—that no corresponding sum was to be raised off them for this 10,000*l.*, for the improvement of the upper part of the river near Lough Allen. On this understanding, the vote would not be objected to by him; if otherwise, he should take the sense of the House on it. He had heard the statement of his right hon. Friend the Chancellor of the Exchequer with surprise and disappointment. He did not credit the statement that the sum at present required by the Irish railways — the 620,000*l.*, then before the House—had been included in the amount calculated as requisite to meet the distress in Ireland from March until October; on the contrary, he asserted that no such item formed part of the estimate; and of the correctness of his assertion he should require no more convincing proof than their present deliberation. Had it been included in the eight millions, where was the necessity of again bringing it before the House? These eight millions having been voted, and the loan actually raised, was this a time, without any necessity, to bring forward a money vote? He would acquit his right hon. Friend of such gross folly. The facts were, three railways in Ireland, the Cashel, the Drogheda, and the Waterford and Kilkenny—half their capital paid up—having, in common with all railways in England and Scotland, a right to borrow, applied for loans to the Exchequer Loan Commissioners, who have but 360,000*l.* at their disposal. The three

loans were, on investigation, approved of. With the two latter there would not have been any difficulty, the funds in the Commissioners' hands being more than sufficient, as their united demands amounted but to 120,000*l.*; but of the 500,000*l.* required for the former, little more than one-third could be lent at present; the remainder would have to stand over till next year. In the present condition of Ireland, it being necessary to promote as much as possible the employment of the people, 15,000 of whom would be thrown out of work, if the Cashel company did not succeed in obtaining the money they required, Government proposed to enable the Exchequer Loan Commissioners to anticipate their next year's resources, and to make at once the loan they had agreed on. It was a matter of no great favour; the companies were entitled to borrow; and the right hon. Gentleman the Member for Tamworth had last year offered the Cashel company a loan of 250,000*l.*—a debate ensued, which was adjourned; the matter was taken up by the press, the effect of which was, that his right hon. Friend, alarmed at the state of the money market, and perplexed at the murmuring of the Gentlemen behind him, proposed to silence the clamour by abandoning the 500,000*l.* promised for the reclamation of waste lands in Ireland; and by taking the 620,000*l.* from the eight millions of money apportioned to feed the starving population of Ireland—acts which were, in his opinion, not only unwise and impolitic, but positively unjust. If the principle of this measure was, in the opinion of Her Majesty's Ministers, such as had been declared, he could not see why the proposal of the noble Lord opposite (Lord George Bentinck) had not three months' ago been carried into effect; it was at least a fair, comprehensive, and impartial proposal, which, as the principle of the present measure was not to be extended to other lines, no person could affirm this was entitled to be considered. He found his right hon. Friend was too sanguine in supposing the state of Ireland was such as to hold out the slightest expectation of having half a million to spare. His right hon. Friend had given the House to understand that the Soup Kitchen Act was working more economically than he anticipated. Why it had not, except in the case of one of the Dublin unions, as yet come into operation. So far from being an economical measure, it would be more expensive than the public works system; and there would not be a return of any kind. Under the public works system much money had been wasted, but some useful works had been constructed. Now they had nothing to look to. Under this Soup Kitchen Act, for the support of the people for the next four months, a rate of 10*s.* in the pound was about to be imposed on the property of Ireland. How it was to be collected was beyond his (Mr. French's) comprehension. Then came the poor rate. To finish the public works now on hands —and which the Indemnity Act required should be done—a sum of three millions sterling would be required. If he was making any mis-statement, his right hon. Friend the Secretary for Ireland could put him right. He was aware an estimate of the kind had been made by the Board of Works, which, of course, was in the hands of the Irish Government. How could this taxation be supported? The Chancellor of the Exchequer had prided himself on the diminution of the labourers employed on the public works, as if it was the result of his political measures. Let him recollect that Government had issued peremptory orders for the dismissal of 40 per cent of these poor people, some of whom, he was assured, had, in consequence, perished of want; 300,000 had been turned off the works; task-work was put a stop to, and those who were retained were not permitted to earn reasonable wages; 200,000 more were to be discharged on the 1st of May; and the remainder were to be kept at the miserable wages of 8*d.* a day, for which 3*d.* value would not be given. He knew from the officers of the Board of Works in different parts of the country, where the men were working by task, and earning from 1*s.* 4*d.* to 1*s.* 8*d.* a day—the works were well and permanently executed, and ample value given for the money expended. A Treasury Order put an end to all this. It was not the case that those dismissed from the works had been absorbed in private labour; on the contrary, not one-half of the destitute persons were employed, and of those dismissed many had perished from famine. In some few cases the persons turned from the roads had gone to till their own small holdings; but the farmers had diminished, in place of increasing, the number of their labourers. In the west, many of them had converted their property into capital, and emigrated to America. As for the landlords augmenting employment, it was out of the case; in the province of Connaught not a shilling

of rent was to be had. His right hon. Friend the Chancellor of the Exchequer had stated that he had placed a million and a half of money at the disposal of the landlords of Ireland, to be by them used in the employment of the people, and the improvement of their estates. Such, however, was not the fact; 1,000,000*l.* of this money had been voted a year ago on the recommendation of the late Government, in common with 2,000,000*l.* to England and Scotland, as a compensation for the injury done to the landed interest by the repeal of the corn laws. From a technical difficulty this sum was not available for Irish improvement; and, owing to the bungling manner in which the Act had been framed, this sum had been lying idle ever since. To this sum the right hon. Gentleman proposed to add 500,000*l.*; for that, and that alone, was he entitled to take credit; but he begged to inform his right hon. Friend that unless an alteration was made in the 16th Clause of the Improvement of Property Bill in the other House of Parliament, the intentions of one Government would be as valueless as the other; and, as far as the west of Ireland was concerned, the House might have been spared the trouble of passing the Bill. The right hon. Gentleman had declared he would not sanction any outlay under it, unless the immediate return amounted to 6½ per cent. This return, according to the opinion of the Commissioners of Public Works, owing to the low value of land in Connaught, could not be expected; though on the eastern coast, on improvements of the same kind, it might be hoped for. Now, this, his hon. Friend the Member for Louth, in the way the board's calculations were made, doubted. But let it be understood that where destitution was most rife, where employment was most needed, where the people were daily perishing from famine—this, the sole remedial measure brought forward by Her Majesty's Ministers, was not to be made available either to the proprietors or the people. The improvement of the waste lands of Ireland—a measure which, if carried on with spirit, would have added tens of millions to the yearly value of the agricultural produce of the empire—was, they were that night informed, to be abandoned, notwithstanding the repeated assurances up to the last few hours in both Houses by Cabinet Ministers, that it was to be immediately proceeded with. The other Bill, which had not yet come down to them, would increase the evils it proposed to remedy. He wished to be informed if the afterthought of his right hon. Friend, to which he had been driven by the present monetary crisis, that the expenditure for the construction of railways should form part of the loan which had specially been devoted to the relief of Irish distress, extended itself also to the fever boards, the cost of which would be enormous, now that pestilence was increasing so much throughout the country. In Sligo, the typhus fever was getting worse from day to day; it had spread from the environs to the leading streets, and there was not a street in Sligo free from it; in Ballina workhouse, there were 500 in fever—and since the 8th of October 730 persons died in it; in Ballinrobe, there were 700 in fever at one time, and the medical man sent down by Government had taken it, and he feared lost his life; at Castlerea there were 830 in fever at one time out of 990 inmates. This workhouse fever was most fatal. The *Erne Packet* states—

> "Fever is making dreadful ravages in the county of Fermanagh—many persons who have left the poorhouse, have spread contagion amongst their relatives in the rural districts—in one instance twelve persons are lying in a wretched hovel, having taken fever from the late inmates of a workhouse."

In Dungarvon, he found from the *Waterford Mail*, fever was rapidly on the increase, and that the mortality was dreadful. In Buttevant there were 450 in fever in the workhouse hospital—both hospitals crowded, and hundreds attacked through the town—Rev. Mr. Wilson, Mr. M'Bride, &c. In the King's County, the master of the workhouse, Mr. Hart was lately dead, the clerk and several of the clergymen were in fever. In the Mallow workhouse there were 400 ill; in Cork thirty-six bodies were buried in the same grave; 300 coffins were sold in the parish of St. Nicholas in the course of a few days; an additional hospital, the Catsfort, was opened, and so soon filled, that four persons were, on the first day, with physicians' certificates, left lying at the gates for want of room to take them in; and the next morning forty-nine additional patients arrived. The deaths from fever amounted to 500 weekly. Belfast and Limerick were nearly as badly off. The same was the case in every portion of Ireland; and it was clear that the danger must be resolutely met, for, if steps were not taken to stop it, the pestilence would soon extend itself to England; and he called upon English Members, for their own

safety, to see that the Government did its duty. England was deeply interested and concerned in putting forth the utmost efforts to alleviate the sad condition of the Irish people; and, had his right hon. Friend not shrunk from his original proposal, and abandoned his own measures, there was little to apprehend for the success of both.

MR. MONTAGUE GORE intended to support the proposal of the Chancellor of the Exchequer; but wished to mention some reasons why upon general grounds he was inclined to support public grants for the construction of railways in Ireland. The objections commonly were, first, that such grants would interfere with private enterprise; and secondly, that they would entail expense upon the country. As to the first point, there were in Ireland immense resources—agricultural and mineral, and fisheries—which had long been totally undeveloped and unworked; and at the same time there was in this country great wealth, and no want of private enterprise, which was extending itself to distant parts of the globe. The reason why this private enterprise had not been directed to Ireland, was want of security. Now, one efficient way to give security would be by Government grants, in the first instance, for public works, such as the construction of railways. Private enterprise would then follow; and, so far from such grants being injurious to private enterprise, they would be subsidiary to it, and lay a foundation for it. When the Poor Law was introduced here, in the time of Elizabeth, grants for public works, such as the drainage of the fens, were resorted to, in order to remove the immediate pressure attendant upon the change; and, in the same way, a system of public works was had recourse to when the Irish Poor Law was passed. As to the other argument, that expense would be entailed, that would apply to every grant of public money; but it was natural to ask whether Ireland was not at present costing us something? If, by a proper system of public works, we could lay the foundation of future prosperity and tranquillity, should we save no expense in the items of troops and police? In a period of hostilities, would it be of no advantage to have railways? Why, the Governor General of India, in his Minute of July 28, 1846, stated, that "he estimated that the value of moving troops and stores with great rapidity, would be equal to the services of four regiments of infantry, and that this reduction of military establishment would be a saving of 50,000*l.* a year;" in addition to the commercial and agricultural advantages. It was sometimes said, that railways could only succeed by traffic between large towns which they might connect, and that they were better suited for the seats of commerce and manufacturing industry than for agricultural districts; but, as appeared by the report of the Committee on Railway Acts Enactments, in 1846, Mr. Peto stated as the result of his experience, "that the people in manufacturing districts did not travel anything like so much as an agricultural population;" and that it had been ascertained in Belgium, "that the traffic of the small towns and villages along a line was proportionately greater than the traffic between two large cities at the termini;" and this latter remark might be confirmed, also, by some cases in England. The facility of communication called into existence new branches of industry, and made agricultural produce more valuable, and land productive which was before of no value. Such too had been the case in Belgium; so that upon that ground there was no reason to fear the success of railways in Ireland. In a Committee, last year, upon a line of railway running through Lincolnshire, it was proved that the value of corn was often less there than in Mark Lane and the other great markets; and it was used as an argument in favour of a railway, that from improved communication the price of corn would rise in those agricultural districts to a level with the London and other principal markets. He doubted not that railways would tend to develop the resources of the country; and it would help to remedy the great misfortune of Ireland, viz., the immense number of small holdings, and the want of a substantial yeomanry. The difficulty was to know how to find occupation for those who were now small farmers, and ought to fall into the class of labourers; and by the aid of railways that might be accomplished. The small holdings might be consolidated, and a substantial body of yeomary created. With respect to fisheries, in the promotion of which he felt a strong interest, it was unquestionable that railways would tend to increase the profits of fisheries. He could give a strong illustration of this position. Mr. M'Culloch, in his recently published *Account of the British Empire*, says—

"We beg leave to lay before the reader an ex-

tract from a letter which appeared in the *Morning Chronicle* by the Birmingham correspondent of that journal: 'In the year 1829 there were but ten fish merchants in Birmingham; but since the opening of the various railways which now centre in or communicate with the town, the number has increased to forty, exclusive of several dealers of small note who reside in the suburbs. The increase in the quantity consumed is shown to be as follows:—

	Tons.	Population.
In 1829 ...	400	150,000
1835 ...	2,000	160,000
1840 ...	2,500	180,000
1845 ...	3,910	200,000

This amazing increase had not been occasioned by the Tariff of 1842, but by the facilities afforded by means of railways for the transfer of fish.'"

He could not omit to notice here the great importance of the construction of piers and harbours of refuge on the coast of Ireland. 5,910. Some remarks made by the intelligent "*Times*' Commissioner" bore upon this subject; and his authority was of the more consequence, because in some parts of his work he was not so favourable to railways as some gentlemen. Mr. Foster said—

"Provide suitable piers and harbours for the accommodation and safety of the fishing craft; this would be a direct encouragement to industry, and would leave laziness in sight of an abundance of fish without an excuse. . . . . These people are fed by the money of England, which would already have built twice over all the piers and harbours they wanted, and have enabled them independently to earn their own food."

It had been said in another place, and sublished in a pamphlet, that the Irish were so lazy and idle that it was of no use to attempt to make them independent; and the fisheries were particularly mentioned. Now, he had a letter from Dr. Rush, the Roman Catholic clergyman, written in November last, respecting the state of Claddagh, the well known fishing colony; and Dr. Rush stated—

"For the last month no herrings of any consequence have been taken in the Bay of Galway; they have passed from our bay to Westport and the more northern bays, but our poor fishermen were unable to pursue them from not being able to provide themselves with provisions on a coast where they might be windbound for three weeks or a month, as well as from the worn-out and imperfect rigging of their boats. Many of the fishermen told me the severity of the weather during the late gales had no terrors for them if they had good strong ropes, sails, &c., to enable them to get round the north-westerly points of out coast. . . . . During the late harvest herring fishery there was a lamentable want of salt to cure this perishable article of human food."

Very great praise was due to the Government for what they had done in respect to curing stations. But what was the condition of these people now? On the 5th of March last Dr. Rush wrote—

"As a proof of what may be done in the reproductive way, I will tell you what myself and a few others have been enabled to accomplish with 100*l*., which we received from the Society of Friends to assist the poor fishermen of this locality. . . . . I commenced with holding out premiums of provisions to every boat's crew that contrived to put the first-class boats in some sailing order. The result is, I have sent to sea within the last twelve days no loss than sixty-four boats manned with five and six men to each. These have returned, bringing into market fish, worth about 800*l*., which the country people have eagerly bought up."

The Irish were not destitute of energy and spirit, but would earn their livelihood in an honest and respectable way if the means were placed within their power. The fact that an Irishman in Ireland, leading an idle life, had often a brother, a hard-working man, in England, proved that there was nothing in the character of the Irish people, which prevented their working as actively as any other people. In Scotland, at one period, there was great want of spirit and energy; and one way by which industrious habits were introduced, was the construction of roads and the improvement of internal communication. Wales was once such a disturbed and disordered country, that Burke said an Englishman would be "likely to be killed if he ventured away from the high road, and that it was known to us only by invasion;" but what country was more orderly, and peaceable, and tranquil now? Wise legislation and good counsels might do the same for Ireland. It had been stated by Spencer, that in his day some persons attributed the bad state of Ireland to the stars, or to the bad dispositions of the people; and that, in terms similar to those used more recently, it was said it would be a good thing for England if Ireland were sunk into the sea. "No," remarked Spencer, "these are the opinions of desperate men, rather than of wise counsellors;" and, he says, that, in his opinion, the miseries of Ireland were owing neither to the stars, nor to the soil, nor to any peculiarity of the people, but to the want of wise and sound legislation. Many years had since elapsed; but the causes of Irish wretchedness were still a subject of speculation; and it was remarkable that so very little change had taken place in its condition. He would give his support to the proposal of Her Majesty's Government; but he could not sit down without expressing the hope that the present calamity, severe as it was, might not be

without its use. The feeling of a common calamity, the sense of a common danger, might subdue those angry passions and heal those dissensions which had so long distracted the sister island; and he trusted that the noble and generous sympathy which Great Britain had shown towards Ireland in the moment of her distress, would exercise no transitory influence, but that from it would spring the fruits of lasting good will between the two countries, and that the hearts of the two races might long be knit together by the ties of reciprocal and cordial esteem. Considering how the public attention had been directed to the requirements of Ireland, and the feeling that had been expressed in her favour, he trusted that they had seen the dawn of a brighter and better day; when Ireland might enter on a career of improvement, though late, among European nations; and at last attain the same eminence and prosperity which this country had so long happily enjoyed; when "the many dowries of nature," in Lord Bacon's language, "with which Ireland is endowed, should be no longer neglected; whereof we in our day may, by the good pleasure of Almighty God, receive more than the first-fruits; and our posterity a growing and springing vein of riches and power."

Mr. W. R. COLLETT said, that he should not feel it necessary to trouble the House at any length, as every thing for which he had before contended was now admitted. He had said, that if the Government would undertake a plan for the construction of 500 miles of railway in Ireland, 50,000 men might instantly be sent to work; and now that the Government had only undertaken a scheme embracing 150 miles, instead of 500, 15,000 men would be employed according to their own statement. He thought, therefore, that his assertion was completely verified. But, as he had said, every thing was now admitted; even the security was admitted; for the Chancellor of the Exchequer stated that Irish railways were a perfectly good security. At the same time he must observe, that there were other lines in the same position as those which had been selected for Government assistance; and he trusted that before long the same principle would be carried out still further, and that the sum of 1,700,000*l.* would be voted for the purpose. He wished to know why, in the case of the Waterford and Limerick line, an exception had been made to the general rule, and that line had been allowed to take the money offered by several baronies? With regard to the number of men who ought to be employed upon 500 miles of railway, it ought to be 75,000; but not quite half that number were now employed in Ireland. As chairman of the Chester and Holyhead line, he had witnessed the beneficial results which the employment of 4,000 men in the island of Anglesea had produced: there had been no distress there, although the potato crop had failed to as great an extent as in Ireland. The statements made by the noble Lord the Member for Lynn, when advocating his Irish railway scheme, had been amply verified by results which had recently occurred. It was a remarkable fact that travelling in Ireland had not diminished during the period of suffering to which that country had been exposed. It was also extraordinary that in no country where a single line of railway was laid down, had war occurred. He was not prepared to assign a reason; but it was certainly somewhat remarkable that a system which tended so directly to promote the prosperity, the wealth, and the comfort of a people, should also have had the effect of averting the greatest of all calamities—war.

Mr. CAYLEY then rose and said: Sir, I wish I could consider it my duty to confine the few observations I shall make to the Committee to the subject nominally before it. Considering, however, the course the discussion took on the last sitting of the Committee, and considering the present critical situation of the country with respect to its commerce and its credit, I find it impossible to preclude myself from entering upon those all-important topics. Not that I underrate the importance of the proposition made to us, viz., to apply some portion of the 8,000,000*l.* loan already granted to Ireland, towards the assistance of some of its railways. On the contrary, I thought the proposal made by my noble Friend the Member for Lynn (Lord George Bentinck) at the commencement of the Session, in reference to Irish railways, would have been a practical and reproductive measure, and that it was introduced to our notice in a statesmanlike manner. But when I reflected on the terrible calamity that had befallen Ireland, the earnest purpose which the Government had exhibited in meeting it, and that on them the responsibility devolved of protecting the country from the impending disaster, as far as human means could do

it, I felt it impossible to withhold my confidence in Her Majesty's Administration. For the same reason, I cannot now oppose the measure introduced by the Chancellor of the Exchequer. Irish railways, indeed, is the subject nominally before the House. But what is the subject on the tip of every tongue, and which has possession of every man's thoughts at the present moment? It is the stagnation of trade, the disemployment of industry, the suspension of credit, the shock given to confidence—not only in the metropolis, but throughout the country. How has this state of things arisen? No one denies that it is caused by a derangement in our monetary system. The question, then, before us is, Which is to blame for the derangement: the Bank Charter Act of 1844, on which our system of currency is based; or the Bank of England, which is supposed to have the management of the currency? The first question, then, is, Has the Bank Charter Act of 1844 answered the purpose for which it was enacted? The second question is, Has the Bank of England been guilty of mismanagement? Now, the object of the Bank Charter Act, so far as I understand it—for I was too ill then to attend to its progress through this House—was threefold, viz., to give the most perfect confidence in the convertibility of bank notes, to increase the stability of the Bank of England, and to protect the country from those ruinous fluctuations in prices which had heretofore led to such disastrous effects upon our agriculture and trade. Have these three objects been accomplished? I won't deny that the convertibility of the bank notes is secure; it is almost too secure; for, like Midas, we are in danger of starving in the midst of a hoard of gold. But is the Bank more stable than it was; is it more capable of administering aid to suffering commerce than before? On the contrary, instead of being competent to support legitimate commercial enterprise in a difficult crisis, has it not been in actual need of assistance itself? Has the system of 1844 protected trade from the revulsions to which it was boasted by its promoters that it would prove so efficient an antidote? Let the present melancholy condition of the country return the reply. No elaborate columns of figures need be introduced to puzzle and embarrass the question; nor can blame now be thrown, as heretofore, on over-speculation—on country banks and joint-stock banks—as the causes of the present calamity. The plain matter before us is, Has the Bank or the system done the mischief? No doubt the promoters of this system will blame the Bank as the managers of the system, instead of the system itself. What impostor ever confessed that the patient died of his nostrum? My right hon. Friend the Chancellor of the Exchequer, who took an active part in supporting the measure of 1844, when before Parliament, last Monday joined those who attribute the blame to the Bank directors. In pursuing this course, I do not think my right hon. Friend has done justice to the conduct of those gentlemen; nor, in making his charge against them, did it appear to me that he rightly appreciated the causes of the present difficulty. The Chancellor of the Exchequer stated that there were alarm and panic; but, in connexion with that alarm and panic, he asserted that they were unnecessary and without foundation, because there was abundance of money; and he quoted the amount of notes in circulation as proving his assertion. As I have already remarked, I do not think my right hon. Friend has duly appreciated the causes of the existing difficulty; nor has he explained how it happened that, with the amount of notes which he stated to be in circulation, money could not be procured to carry on the legitimate trade of the country. From the official accounts which appeared, the public saw that a drain had set in on the means possessed by the Bank for conducting its banking business; and, at a critical moment, it was also seen that the Bank was obliged to go into the money market to enable it to accommodate the Chancellor of the Exchequer in respect of his deficiency bills—a proceeding which necessarily excited alarm. Mercantile men naturally reasoned in this way: "If the Bank is so weak as to be under the necessity of going into the money market to obtain the means of accommodating the Chancellor of the Exchequer, will it have sufficient means to meet the purposes and the necessities of trade?" A progressive diminution of bullion and of the reserves at the command of the banking department, were seen to be in operation; and was not this sufficient to create alarm? Then occurred what had never occurred during any previous crisis: the Bank refused all applications for discounts. Was not this sufficient to add to the alarm? The result is, that although the circulation appears full, all holders of money are afraid to part with it. Every

one retains as much of it as he can keep, for he now knows that he cannot go to the Bank in case of need, as in former times. Although the Chancellor of the Exchequer has told us that there are 20,000,000*l.* of notes with the public, he has not told us how much is in active circulation. Under a feeling of panic, a large amount has evidently been hoarded; which is the reason why in the midst of an apparent abundance of money a scarcity of it is experienced. Then are we led to believe that the Bank of England requires for its own till, and those of its twelve branches about 4,000,000*l.* notes. Is this obtained from the notes with the public, or from the reserve with the Bank? If from the latter source, it is evident that at the time the Bank was supplying my right hon. Friend for his deficiency bills, their till must have been virtually empty. Then the London, the country and joint-stock bankers in Great Britain and Ireland require, it is said, not much less than 12 or 14,000,000*l.* out of the notes said to be with the public, to keep their tills supplied; so that when 20,000,000*l.* notes are said to be with the public, not more than 6 or 7,000,000*l.* perhaps are in active circulation. A diminution of the circulation, when the Bank reserve of notes is at its lowest ebb, must necessarily, therefore, be an abstraction of its notes really in active circulation with the public for the purposes of trade—that is to say, it is a diminution from an amount of something like 6,000,000*l.* rather than from (say) 20,000,000*l.*, and falls heavier on the public in that proportion. Commercial men, therefore, seeing that the Bank refused all discount—even when the circulation was full—naturally reflected, "How will the matter stand when the drain of gold for imported corn shall have decreased the circulation with the public two or three millions more?" This put an end to confidence; and was the proximate cause of the panic which has begun, and which, despite of the sanguine anticipations of the Chancellor of the Exchequer, I fear, is far from having come to an end: for the whole superstructure of our great commercial enterprise is based upon credit, and credit cannot exist without confidence. The confidence of the mercantile body hitherto has been, and with reason, that in any dead-lock of the commercial machine from a temporary suspension of credit, they had the Bank of England to look to in the last resort, as a great power having the means at its command to uphold the credit of the country. But the prestige of the Bank of England is gone—your Act of 1844 has reduced it to the condition of an ordinary banking establishment—and credit has now nowhere to look for that confidence on which its existence depends. And under what circumstances has this state of things occurred? Without an undue expansion of the credit system, with stocks remarkably low, when merchants have been proverbially cautious: it has been produced only by a drain of bullion to pay for imported corn. But is it to be endured, that to carry out an abstract principle, the business of this great country is to be brought to a stand at a time when more than ever it is essential that it should go on? Is it to be tolerated that the working classes should, by your system of currency, be thrown out of employment at a moment when the high prices of provisions renders it more than ever necessary that they should be fully employed? Can a system, for righting the balance of trade, be suffered to continue, which can only accomplish its end by causing ruin and starvation to the country? But my right hon. Friend the Chancellor of the Exchequer, instead of objecting to a system which has produced such unfortunate results, has blamed the management of the Bank of England. Now, I have always observed, that when monetary crises have occurred, some cause or other different from the real one was assigned for their occurrence, Thus, in 1825, over-trading and over-population were blamed as the causes; in 1826, the country banks were blamed; in 1836, the joint-stock banks; and now, instead of attributing the blame of the present derangement to the Bank charter of 1844, the blame is thrown upon the shoulders of the Bank. I readily admit that the issue department of the Bank is safe for the present; but was the charter of 1844 intended simply to prevent the issue department from being in an unsound state? Was the system now in operation devised for the benefit of the country; or were the interests of the country to bend to the success of the system. The philosophical gentlemen who guide the destinies of the nation in monetary affairs, are too apt to imagine that the welfare of the country is to be cramped and tortured to fit the Procrustean bed of their theoretical system. The Chancellor of the Exchequer has attributed blame to the Bank directors; but, with all deference to his superior information, for

it ought to be superior to mine—and making allowance, too, for his superior knowledge—it appears that the Bank directors have worked a most difficult machine in a most admirable manner. But this system of 1844 was to be like some beautiful automaton, that would act of itself without any one's interference. Then why blame the Bank—which was told to conduct its business like any other banking establishment? and which has been prevented doing so, only by the Chancellor of the Exchequer claiming assistance from it at an eventful crisis, when, according to strict banking rules, the Bank would have refused it; whereby commerce was deprived of the aid it had always been accustomed to receive; and the Bank exhibited to the world as utterly powerless to sustain the credit of the country. One objection which the Chancellor of the Exchequer made to the management of the Bank, the other evening, was, that the notes withdrawn in consequence of the efflux of 6,000,000*l.* or 7,000,000*l.* of gold, should have been from the notes with the public, and not from its reserve. I need scarcely stop to inquire how this would have affected the condition of the country. But in point of fact all the notes issued by the Bank, whether nominally with the Bank, or with the public, are virtually all with the public. For the tills of all the other banks of the country are supplied from the notes nominally with the public, and are no more in active circulation than the notes apparently reserved by the Bank of England. The latter, indeed, may be considered a more active part of the circulation; for when the public see a large reserve of notes with the Bank of England, it gives a strong impression of the Bank's power to assist commerce in a time of need. Whereas the reserve of notes with other banks is unknown. How, however, was it possible, in a period of a gradually approaching pressure, for the Bank of England, without from the first refusing all discount—which it was driven to at last only by the Act of 1844—to preserve undiminished its reserve of notes? As the public became more pressed, they applied more for discounts—even at a higher rate; and the Bank could not refuse without abdicating its functions. But my right hon. Friend says the Bank should have turned the screw, and produced a tightness in the money market at an earlier period than it did. Now what has been the conduct of the Bank since August and September last? According to the Bank Charter Act of 1844, the notes issued from the Bank were to be in exact accordance with the amount of bullion received into the Bank. The more bullion, the more notes—the less bullion, the less notes. And in conformity with the statements of the framers of the Act, the Bank—in reference to its banking department, as distinguished from the issue department—was to be allowed, nay encouraged, to compete for discounts with other banks. In September last, the bullion in the Bank was at its maximum. The spirit of the Act of 1844, said, "push out notes." But a failure in the crops threatened us with a large import of corn, and consequent drain of gold, with a pressure in the money market. Prudence, therefore, suggested not to push out notes. The Bank having 7,000,000*l.* or 8,000,000*l.* of notes in reserve, might, by lowering the rate of discount to 2 per cent, have pushed out 24,000,000*l.* or 25,000,000*l.* with the public, and still have reserved 4,000,000*l.* for its till, which is said to be its proper complement. Hovering between the spirit of the Act which said push out, and the prospect of a bad harvest which said pull in—they lowered the rate of discount to only 3 per cent, and issued only 21,000,000*l.* notes to the public. It would have been more prudent, indeed, to have kept to the rate of 4 per cent for discount; but how much worse would things now have been if the Bank had only regarded the Act of Parliament, and not the prospect of the harvest before them. For this escape we have to thank the discretion of the Bank, which caused it to act in opposition to the dictates of the system on which our currency is based. Next it was complained that the Bank ought to have applied the screw more tightly early in the present year. They did increase the rate of discount in January to 3½ per cent; the very next week to 4 per cent. Then in February, it was said they should have turned the screw still tighter—so said the system—for then bullion was beginning to ebb faster from the Bank. But what said the wants of the country, and what said the safety of the Bank? It is very well for the advocates of the system to say, when bullion is going out, then "at all risks and hazards trades must be crippled, and imports stopped—for the safety of the monetary system." But the country wanted imports—the population demanded to be fed, and their food depended on the importation of grain remaining unchecked, for

it was a season of famine; and there was great fear lest the supplies of all the world would not be able to meet the demands for food in all countries. At this moment, if the Bank had too stringently applied the screw—the effect and intention of which is to diminish imports, and to promote exports—they would have aggravated the scarcity of food. As it is, the importation of food has been checked by the pressure of the money market arising out of your system. Then again, in February, or early in March, the Bank of France was distressed; with sorrow be it spoken, the Bank of England was so crippled as to be unable indeed to relieve her sister establishment, which in her hour of need in 1839, came, as it has been said, to her rescue; but she did all she could—she abstained from increasing the difficulties of the Bank of France by too rapidly appreciating the value of money here. And it was for her own interest that she so acted—for had the Bank of France failed in sustaining its credit—double would have been the pressure and the difficulties which would have surrounded the Bank of England. But in acting with this discretion, she acted against the rigid inflexible spirit of the Bank Charter Act. That is to say, on two occasions, within a few months—when the spirit of the Act would have counselled a wild and dangerous course, the Bank resisted that spirit, and pursued a more discreet and moderate course. Which then has been to blame? the system, or the Bank of England? It appears to me, from a dispassionate view of the operations of both, that the system has not only signally failed, but that it is a pregnant cause of ruin and disaster to the country, and has materially aggravated the miseries of famine. But the Chancellor says "Money is really plentiful!" More shame to the system which wont allow it to come forth, and compels it to be hoarded. The Chancellor of the Exchequer says, "Trade is sound!" Yes! merchants have been cautious, and stocks are low; more shame to the system which rewards this prudence and caution of the mercantile body by a ruinous fluctuation in prices, and a no less ruinous rate of discount. But is the present a sound and wholesome state of things? What constitutes the sound and wholesome in a philosopher's mind? A panic in the city! stagnation in Lancashire! India bills undiscountable, or only at a rate approaching 16 per cent. Even the ordinary bills of the home trade, having from three to four months to run unsaleable! Exchequer bills at 10*s.* discount! Stoppage of payment staring the mercantile world in the face, and a state of barter hanging over us, with all reliance vanished on the power of the Bank of England to support the credit system, on which all our trade is founded! If these be the tests and evidences of the sound and wholesome—the sooner we betake ourselves to an unsound and unwholesome state, even if accompanied by half the plagues of the catalogue — the better, the happier, the healthier for the people.

Mr. CHAPLIN said, that he was a holder of 200 shares in the Great Southern and Western Railway, and unless he understood this question right, he should not feel at liberty to decide upon it. As he understood it, the money which was proposed to be lent to certain Irish railways, was to come out of the 8,000,000*l.* which had been appropriated to the welfare of Ireland. If he was right in this, considering that the security offered by the railway with which he was connected was unexceptionable, he should support the measure.

Sir W. CLAY said, the hon. Gentleman who had just addressed the House (Mr. Cayley) had asserted that if the Bank had pushed out its notes in August and September last by reducing the discount to two per cent, the directors would only have been acting agreeably to the expressed intentions of the authors of the Act of 1844, and in accordance with the spirit of that Act. He (Sir W. Clay) did not know in what part of the Act the hon. Gentleman had found any authority for such a statement, or by whom he had heard the doctrine advocated that the Bank ought to push out its notes when they were not needed for the legitimate purposes of trade. The drain of gold had already commenced in the autumn, although nothing material occurred till Christmas; and in January the Bank showed that it was aware of what was going on, by raising the interest from three and a half to four per cent. But instead of husbanding its means by increasing the rate of interest in proportion as the bullion decreased, the Bank continued giving accommodation, as though nothing like a crisis was to be apprehended. The hon. Gentleman had failed to clear the directors from the charge of indiscretion made against them by the right hon the Chancellor of the Exchequer; but the hon.

Gentleman had made a vigorous attack on the banking system as established by the Act of 1844; and as he had borne a humble part in supporting that measure, he trusted the House would bear with him for a few moments whilst he endeavoured to show what the real effect of the measure had been. It had been already remarked by the hon. Member for Cambridge, that there were now in operation causes of the greatest efficiency in disturbing the monetary system. Any of them in his (Sir W. Clay's) opinion was able of itself to cause derangement; but when taken in combination, they formed an aggregate of disturbing elements such as their monetary system had not been exposed to for the last half century. In the first place, there was the necessity of providing a supply of food, to meet a failure in the crops, to the money value of 16,000,000*l.* Now, what had been the result with respect to the importation of food to meet that calamity? The quantity of grain imported in 1846 was unparalleled. The average quantity of grain imported in the three years preceding, namely, 1843, 1844, and 1845, was 1,600,000 quarters; but the quantity imported in 1846 amounted to 4,780,000 quarters. A large importation had also taken place of other articles of consumption, as appeared from a comparison of the receipts for customs. In 1846 the revenue derived from Customs amounted to 22,500,000*l.* and upwards, whilst in 1845 it was only 21,840,000*l.* On referring to the items, it appeared that in 1846, as compared with 1845, there had been a great increase in the importation of articles of food and luxury. Thus the imports of butter in 1846 were 255,000 cwts. against 240,000 in 1845; those of cheese in 1846 were 327,000 cwts. against 257,000 in 1845; those of cocoa in 1846 were 2,860,000 lbs. against 2,589,000 in 1845; those of coffee in 1846 were 36,780,000 lbs. against 34,300,000 in 1845; those of tea in 1846 had been 46,700,000 lbs. against 44,195,000 in 1845; those of sugar in 1846 had been 5,230,000 cwts. against 4,800,000 in 1845; those of currants in 1846 had been 369,000 cwts. against 309,000 in 1845; those of raisins in 1846 had been 238,000 cwts. against 205,000 in 1845. The diminution in our imports of articles of raw produce constituting the staple of our manufactures, in the same year, was, however, still more striking and significant. Our imports of indigo, silk, and sheep's wool considerably declined, whilst those of cotton, the most important of all, were 4,176,000 cwt. in 1846, against 6,440,000 in 1845. Thus, then, it was evident that whilst there had been an increased importation of articles of food and luxury, there had been a diminished importation of those articles of raw produce which, when converted into manufactures, added to the national wealth. In consequence of the diminished supply of raw materials, prices had advanced, in some cases, fifty per cent, and in cotton at the latter part of the year more than that. We had no means of paying for our imports except by gold, or the manufactures and produce of the country. We did not produce the precious metals, and therefore, when a portion of our gold was taken to pay for our imports, instead of our giving manufactures or produce in exchange for them, the operation created a pressure in the money market. The pressure would continue until we received orders for our manufactures and produce sufficiently large to turn the balance of trade in our favour; and, even then, it was necessary we should have time to execute the orders. Nothing which the Legislature or the Government had it in its power to do, could remedy the inconvenience which was experienced from the contraction of the circulation. It was necessary to wait patiently for a reduction of prices, which would check importation and encourage exportation, for that was the only mode in which the precious metals could return to this country. It might be asked why the deficiency of gold should not be supplied by notes? Because that would aggravate the evil. It was his belief, that if the Bill of 1844 had not been passed, the situation of the country would have been much worse than it really was. Had it not been for that Bill, we should not have been so well prepared as we were to meet the approaching storm. If the country should escape a severe monetary crisis, it would be owing to that measure; and if the crisis should come, it would be the means of mitigating the disastrous results to be apprehended from such a state of things. The object of the Bill of 1844 might be briefly stated. The great measure of 1819 asserted the legal convertibility of paper into gold, and repressed the circulation of small notes; but, experience from 1819 to 1844 proved that mere legal convertibility was not a sufficient guard against abuse; and therefore the Bill of 1844, taking the amount of paper money then in circulation as sufficient for

the wants of the country, enacted that no more should be issued except upon the security of gold. He believed that the passing of that measure had prevented speculation from being carried to a ruinous extent. Another advantage which the country had derived from the Bill of 1844 was, that it caused greater publicity to be given to the transactions of the Bank of England; and he believed that banking had been much better conducted since the passing of the measure. The country, he had no doubt, would get through its difficulties; there were indeed already symptoms of a better state of things; but he was disposed to think it would be long before they again witnessed a rate of interest so low as had prevailed for the last few years. In this he should see nothing to regret. A low rate of interest was by no means an unfailing indication of national prosperity; on the contrary, it might be the concomitant of decline. A low rate of interest indicated a low rate of profits; and a low rate of profits was not consistent with a state of advancing prosperity—scarely, perhaps, with a stationary state. But the only condition of a nation in which the well-being of the people was certain, was a state of progressive prosperity. During the whole of the last century, in Holland, during her long and slow decay, the rate of interest was invariably lower than in any other country in Europe.

Mr. ROEBUCK said, that to point the moral of this story, he must recall to the House the facts of the case. A proposition had been made by the Chancellor of the Exchequer for the application of 620,000*l.* to Irish railways, whereupon various discussions had branched out of the main question upon matters connected with our monetary system, one speaker after another endeavouring to show what he believed to be the cause of the present state of affairs. A great difference of opinion existed among those Gentlemen; but as to the actual state of the facts there was no dispute at all. There was no dispute as to the alarming state of our monetary system at the present moment—as to the great depression in the money market, the great difficulty in the manufacturing districts, and the great disturbance altogether throughout the mercantile world. Among the various causes which had been presumed to create this state of affairs, and of which the hon. Gentleman the Member for the Tower Hamlets had enumerated several, the right hon. Member for Cambridge had endeavoured to impress upon the Chancellor of the Exchequer the consideration, that when all these causes of alarm and disturbance existed, he was himself introducing another element of danger, and was enhancing the very mischief that everybody was deploring. The right hon. Member for the University of Cambridge had puzzled him not a little. The right hon. Gentleman had that evening made a speech the most convincing he had ever heard—clear in exposition, and consecutive in argument; and the conclusion to which it conducted was so plain and palpable that everybody saw it except the right hon. Gentleman himself. The conclusion to be drawn from the right hon. Gentleman's speech was, that he ought to vote against the Chancellor of the Exchequer's proposition. The right hon. Gentleman pointed out the danger of the Government becoming a money-lender in the present condition of affairs; and he also showed that it would be unjust not to extend to other railway companies in Ireland the aid which it was proposed to give to three of them. It was natural to suppose that a proposition which the right hon. Gentleman designated unjust and impolitic, would receive the practical censure which was capable of being conveyed by a vote; but, instead of that, the right hon. Gentleman intended to vote in favour of the proposition. The right hon. Gentleman said, that he would have voted differently but for the statement which the Chancellor of the Exchequer had made that evening. Now, it was remarkable that the statement which the Chancellor of the Exchequer had made that evening was very different from that which he made on Monday. He did not blame the Chancellor of the Exchequer for having reconsidered his proposition—for that he had done so there could be no doubt. The proposition, as explained that evening, was quite distinct from that which the Chancellor of the Exchequer explained, not once, but twice, on Monday. The right hon. Gentleman now proposed to give the sum of 620,000*l.* to certain Irish railway companies out of the sum of 8,000,000*l.* already voted by the House for the relief of Ireland. It was not easy to understand that part of the Chancellor of the Exchequer's speech in which he talked about the Government intending to give up the 1,500,000*l.* which was intended to be expended under the provisions of the Waste Lands Bill. The right hon. Gentleman created some obscurity by mixing up this

topic with the 8,000,000 fund. He wished the Chancellor of the Exchequer to state whether the 620,000*l.* was to come out of the 8,000,000*l.* fund, or was to be taken from a sum of money intended to be appropriated to the reclamation of waste lands in Ireland? For the present, he would assume that the money was to come out of the 8,000,000*l.* already voted for the relief of Ireland; and he begged to remind the House of the statement which the Chancellor of the Exchequer made when he asked for that grant. The right hon. Gentleman stated the expenditure which was then going on in Ireland, and calculated that it would go on gradually diminishing until August; and he estimated the amount which was absolutely required up to that period for the relief of the destitute at 8,000,000*l.* He wanted to know why the right hon. Gentleman was now introducing a fresh item of expenditure, and applying to a different purpose part of a sum voted specifically for the relief of distress. What circumstances had arisen to enable him to do so? Had the right hon. Gentleman stated that anything had occurred different from that which he anticipated? Not at all. He had not shown that he had at his disposal a single farthing more than he anticipated he would have. What grounds, therefore, had the Chancellor of the Exchequer given for the extraordinary demand he made, namely, that they should divert from the relief of the people of Ireland a sum of 620,000*l.*, to be employed by the Government as a money-lender? He would suppose, as a sort of hypothesis, that an argument had been used by the Chancellor of the Exchequer of this kind:—

"I have heard nothing to convince me that the benefit to be derived by the destitute persons in Ireland by the provisions of this Bill (a certain Bill) are at all commensurate with the money which it is proposed to raise. Still less have I heard anything to convince me, that in the present state of the finances of the country, and with the distress which prevails here too, as well as in Ireland, to an extent far greater than I could wish —I say, I have heard nothing to convince me that I should be justified in imposing burdens on the people of this country for such a purpose. For the purpose of relieving the distress of the people of Ireland, and of preserving them from starvation and death, I would not hesitate to ask the people of this country, burdened as they are, to provide means of alleviating that dreadful condition; but before I ask the people of this country, suffering as they themselves are under great pressure, to submit to any further burdens of this kind, at least I must be assured that the money so raised would go directly and effectually for that purpose. Now, with respect to the first point, I confess I am not of opinion that the State should become a great money-lender. On the contrary, I think it would be exceedingly wrong and mischievous, except in cases of an extraordinary character, that the State should become a lender of money in competition with private interests. I know that the measure has made an immense impression on the minds of certain Gentlemen in this House; but it appears to me that Irish distress and Irish notions of money have in their case subverted all sound principles on this subject."

When was this said? Everybody knew; and could the right hon. Gentleman now justify in any way the imposition of this new burden, for such it was in the circumstances in which they must view it. He agreed with every one of the premises of the right hon. Gentleman, with all the necessary deductions from them; then how could he, consistently with his notions of justice and propriety, determine to vote in favour of the proposition the right hon. Gentleman now made? As he sincerely believed there was in principle nothing to justify the proposition, so he believed the state of this country to be very dangerous, in spite of all the sanguine expectations that had been held out to them. He believed a great struggle would have to be made by the people of this country during the coming months of this year; and as they were not yet certain what the coming harvest was to bring, he contended it was jeopardizing all that was great, and good, and safe, in this country to deal in this hasty and unstatesmanlike manner with all its interests. He was not justified in supporting the proposition by the statement of the right hon. Gentleman that evening; the right hon. Gentleman said the House had been entirely mistaken in the views of the Government as to the Drainage Act, and therefore it was about to substitute this new plan. As occasions arose, something was done, something to be busy about, but nothing distinguished by that care and prudence which ought to belong to those who had to deal with the lives and happiness of all the people of this country. He felt himself perfectly justified in calling on the Committee to divide on this question. The people would not deem the reasons adduced by the right hon. Gentleman in support of this pitiful scheme for obtaining their money, a justification of supporting him. They were to consider whether, in this time of present distress and doubt as to the future, they could thus play with the resources of the people, as if they were counters, with their well-being and their subsistence won by the sweat of their brow, their care and intelligence—

whether, for such purposes as those proposed by the right hon. Gentleman, supported by such arguments as he had adduced, they might squander that wealth which was the very life-blood of the nation.

MR. BERNAL OSBORNE considered the proposition, in principle, as nothing more nor less than the plan so ably brought forward by the noble Lord the Member for Lynn (Lord G. Bentinck). He was fully aware of the perilous circumstances under which the late measures of the Government were proposed. He fully conceded their good intention, though they were somewhat wanting in comprehensivenese and distinctness, and were rather of a bit-by-bit character. He had taken considerable pains with the subject, and he was sorry he could hold out no hope that the lavish manner in which money had been expended, had been accompanied by anything else than disaster. An extension of the Poor Law had been passed; and, considering the state of the country, he was justified in asking the noble Lord (Lord J. Russell) what plans he proposed to adopt, in addition to that Poor Law, for absorbing the surplus labour of Ireland? Was this grant of 620,000*l.* to Irish railways to be the maximum of the assistance to be afforded to that unfortunate country? Let them test the proposal, and see how far it would absorb the surplus labour. The 1,500,000*l.* proposed to be given—["No!"]—well, to be lent, to the Irish landlords for draining, would employ 50,000 men for two years; the number that had been employed on the public works was 700,000. The noble Lord might say, the draining would give a permanent impulse to the labour of the country, and that the people would be more employed upon the land after it was drained. He did not think more than 100,000 could be employed out of the 700,000. The noble Lord had to-night given up the Waste Lands Bill, and on that the Member for the University of Cambridge (Mr. Goulburn) had given his support to the 620,000*l.* grant. He had made a speech against it; but—a phenomenon not uncommon in that House—he was going to vote for it. Repeated reference had been made to the Drainage Act, and to the beneficial results to be expected from its operation; but he very much questioned whether it would tend to absorb surplus labour. On the contrary, he feared that it would have the very opposite effect. The effect of improved agricultural systems in England, had ever been to lessen rather than to increase the demand for labour. In England, four men, or at most five, were sufficient to keep a hundred acres in a state of high cultivation; whereas in Ireland, where improved systems of agriculture were not brought so much into play, double, nay treble, that number was requisite for the same extent of land. In England 790,000 persons cultivated 25,000,000 of acres; while in Ireland 970,000 cultivated 12,000,000. This fact showed clearly how different were the condition and circumstances of the people of both countries. He would take leave to ask what other plans did the noble Lord at the head of the Government contemplate to introduce for the purpose of absorbing the surplus labour of Ireland. This was a question in the answer to which the Irish people were deeply interested. The right hon. Gentleman the Member for the University of Cambridge would have the Committee believe that the 10 per cent who had been dismissed from the relief works had been already absorbed by the farmers in agricultural labour, and that the 10 per cent who were to be struck off on the 1st of May would infallibly be disposed of in the same manner. The statement was important, and would be exceedingly gratifying if it were strictly correct; but it was to be regretted that it was not at all consistent with the representations contained in those blue books to which hon. Members were so fond of referring, when it suited their own purpose to do so. He would take the liberty of reading a few passages from the reports of the inspectors, from which the Committee would see what amount of credit should be attached to the representation that 10 per cent, already struck off, had been absorbed by agricultural labour. The hon. and gallant Gentleman read extracts from the reports of Mr. Thomas Ross, Captain Hill, Captain O'Brien, Captain Kennedy, and others, the general substance of which was uniformly, that in the counties of Cork, Clare, Waterford, and Meath, either no such absorption had at all taken place, or it was very partial. The reason generally assigned was, that the absence of the potato crop necessarily caused a much smaller number to be employed this season, than was usual in former years. The fact was, that the necessary agricultural operations were now performed by the farmers themselves, and by the male members of their families. But if things were in this disheartening position now, what was to be done when the green

crops were really put down? Again, he asked what other plan was the noble Lord at the head of the Government prepared to propose, now that he had thrust upon the country a poor law without any counterbalancing check to absorb the surplus labour? The probable expense of upholding relief committees and soup kitchens had, he feared, been greatly understated. No adequate estimate of it had as yet been made. He held in his hand a statement of the first rate that had been struck under the soup system. The soup-rate of the union of Clonmel had been struck within the last three days, and the calculation was that for three months it would yield 8,975*l.* —if paid. Taking that as a fair average, the cost to the country generally on account of the soup system, would be on this average about 4,752,000*l.* per annum. Add to this the probable cost of out-door relief, which might be estimated at two and a half millions, and the aggregate amount of moneys required for the purposes of relief in Ireland would be 7,000,000*l.*—about half the gross rental of the country. Under these circumstances what would the noble Lord do? He would have to come down to Parliament next year and demand still larger grants and additional concessions. Much better would it be for him to come before the House at once with that courage which was so characteristic of him, and to state unreservedly the whole truth of the case. Did the noble Lord think that this grant of 620,000*l.* would be sufficient to absorb the surplus labour of Ireland? Or did he imagine that the Irish people would be content with it. ["Hear, hear!"] He knew that that significant cheer awaited the question; for when a Member connected with Ireland rose in that House and endeavoured to depict the dreadful state of destitution in which the Irish people were plunged, it was too much the custom to meet Gentlemen connected with Ireland with derisive cheers and invidious sneers. He would not hesitate to support the Government in their proposition for the grant now under discussion. The only fault he had to find with them was, that they did not go far enough. He was prepared, if necessary, to show that the grant would be money well laid out; that it would be repaid; and that the making it would be attended with advantage to England, as well as to the sister country. The Great Southern and Western Railway of Ireland was a most thriving and prosperous establishment. Its prospects were most promising, as might be inferred from the fact that although not more than fifty-six and a half miles of it were as yet open (the distance from Carlow to Dublin), the weekly traffic amounted to 1,580*l.* The only fault he had to find with the Chancellor of the Exchequer was, that, regard being had to the importance of such an establishment, and to the general requirements of the country, he gave too little. Whoever should have the luck to sit in the next Parliament, would have the pleasure of seeing the noble Lord at the head of the Government stand up in his place, and of hearing him declare that there was no use in going on in this little peddling way, and that if they wished to preserve Ireland, and to have a real union between the two countries, the House must make up their mind to back him boldly in some great and comprehensive scheme of legislation for that country. He wished the noble Lord had not been deterred by any false pride from taking up the plan of the noble Member for Lynn (Lord G. Bentinck). The whole process, the whole remedy to be brought forward for Ireland, seemed to be very easy: the noble Lord contemplated that the present race of landlords and farming tenants would be swept away. They were, in fact, in process of being consumed already, and it would not be much longer before we finished them. Some hon. Gentlemen thought, no doubt, that this was a consummation devoutly to be wished for; and it might, indeed, be all very well if they could get other proprietors. But what Englishman, or what capitalist of any country, could they get to step in and take estates which were eaten up with enormous poor rates, and encumbered with heavy Government debts? They would not succeed in getting one single capitalist to make such a purchase, though all the estates in Ireland were in the market. A gentleman, a magistrate, residing in Clare, had informed him that in one parish in that county there had been a rate struck of 20*s.* in the pound, and that not 10*d.* in the pound was to be collected. It was very find to talk of the Irish landlords, to halloo on the people, and to tell them these were the men to whom they must look for support; but was there any Gentleman in that House who would take Irish property when he heard of such a circumstance as this? He had never been one of those, though it had not been for want of invitations, who had made it a habit to hold up the Government of this country to exe-

cration in Ireland. He had never joined in that unfair system of declamation pursued by some hon. Gentlemen on the other side of the Channel, against what was called the tyranny of England. He was of opinion that if Ireland was left to herself, and deprived of the supporting arm of Great Britain, she might as well be at the bottom of the sea. He would at the same time beg the noble Lord to recollect that the events which had followed the Union, had not been of that character likely to conciliate the Irish mind into confidence in this country. They had formerly ruled in favour of Protestantism and the landlords: they had seen their mistake, and had given that up; but they had not conciliated the people even by this course. The democracy disliked the English Government. What class then did the English Government propose to conciliate? He would ask, in the name of common sense, what class they would conciliate by the measure they now proposed? He had held out as long as he could against the cry of repeal; but though his support or opposition could be of little consequence to the noble Lord, he must say to his Government, or to any Government that might be in office, that unless they were disposed to look this Irish difficulty in the face, and come forward with a great and comprehensive measure—much as he (Mr. B. Osborne) disliked connecting himself with any party in Ireland, knowing how little dependence was to be placed on Irish confederations—he should at last be compelled to think that none but an assembly of Irishmen would be capable of legislating for that country.

Mr. SPOONER recapitulated the arguments before the House. The Chancellor of the Exchequer asked them to apportion part of a grant already made for the support of certain railways; and it had been also remarked, that was not the only subject to consider, but that the ability of this country to grant that money ought also to be considered. The real position of this country with regard to its monetary system was therefore an element of the deepest importance in the question, and ought to be brought before the House in all its bearings. On the last occasion the Chancellor of the Exchequer had taken a different view of this part of the subject to the one he took to-night. He had said, "Why talk of a diminished circulation? Why blame the Government for diminishing that circulation, when it is not diminished? The ordinary circulation is 20,000,000*l.*: and the circulation is now about that." To-night, however, he said the panic was over; the exchanges had turned in our favour; the Bank would no longer keep up the restrictive measures to which they had been obliged to have recourse. What, then, were those restrictive measures? There was no deficiency in the circulation—if it really were full and complete? The Chancellor of the Exchequer said the other night it was, and now he said it soon would be, because the Bank was at liberty to abandon its restrictive measures. What really then was the position of the circulation? The Chancellor of the Exchequer said it was amply sufficient—it amounted to 20,000,000*l.*; but he did not know that what was sufficient in times of confidence, was not sufficient when alarm and want of confidence prevailed. True it was that 20,000,000*l.* were nominally the circulation of the Bank; but where was that 20,000,000*l.*? The prudent man, who in ordinary times kept 10,000*l.* in bank-notes by him to meet all demands, would in times of pressure keep 20,000*l.* Of the 20,000,000*l.* too, 620,000*l.* was to be taken for Irish railways. Before the Chancellor of the Exchequer said the panic was over and the circulation undiminished, he should have considered these circumstances. He should have looked, too, at the balance of trade, and the probable sum of money they would have to pay for the importation of corn. He (Mr. Spooner) had made inquiries of the men who had the means of obtaining sound and correct information; and from all he had heard he believed the balance of trade could not be less than 8,000,000*l.*, and that ultimately must be paid in gold. The present restriction and want of confidence forced gold to be substituted in payment for manufactures; because they had checked the manufacturing power of this country, and prevented the making of goods which might otherwise have gone out in payment of the balance of trade. This showed more and more that the notes in circulation were insufficient, and that 20,000,000*l.* were totally inadequate for the requirements occasioned by a pressure. Did not this, moreover, account for the panic? And would the right hon. Gentleman say it was over, because the exchanges were now in our favour? But was the danger really over? He feared the statements of the right hon. Gentleman on this subject were like his stories of sup-

plies of potatoes being brought to market in Ireland, which had been exposed by the hon. Member who had last spoken — he feared they were all a delusion, and that the House must not trust to them. What, the danger over, with the balance of trade not less than 8,000,000*l.*, which must be paid in gold! And gold from the Bank of England could not be obtained without withdrawing bank-notes out of circulation. Hitherto the Bank had gone on with the means at their own command. The Bank had not adopted restrictive measures until they were obliged in self-defence. They had been told to conduct their business on banking principles; they were told not to regard the interests of the public, but to look to their own interests and to their proprietary. The Bank had therefore carried out the principle, as they were compelled to do by the right hon. Baronet the Member for Tamworth, and afterwards by the right hon. Gentleman opposite; and because they had so acted—because they had not exercised, as was said, a more timely control over the circulation — because they had been so foolish as to lower the rate of interest when they ought not to have done so—because they had not foreseen the drain of gold, and regulated their conduct by that foresight—they were highly blamed by the Government. Now, would such conduct have been consistent with banking principles? What were they to do when there was an abundance of money? Why, if they were to compete with private bankers, they must reduce the rate of interest when the market rate was reduced. The Bank had acted strictly on the principle laid down by the Government. The Government had said, "We will regulate the circulation—we will issue notes on a fixed principle. You shall issue only in return for gold, except on 14,000,000*l.* of securities;" and in accordance with this, the Bank had acted. He would now look to another part of the subject, namely, the limitation to 14,000,000*l.* He should like to know what magic there was in the number 14? Why was it 14,000,000*l.*? He supposed that had been fixed upon, because it was thought large enough always to be sufficient for the wants of the country; but had it proved so? It had not yet been tried. The right hon. Baronet the Member for Tamworth had not told them what the Bank was to do when they came down to the 14,000,000*l.*—when there was no gold left. The question had been put by his hon. Friend and Colleague on a former occasion to the right hon. Baronet; and he replied, that he did not like to answer speculative questions which could only exist in the imagination. But recent events had made it appear not quite so speculative. He believed, notwithstanding the turn spoken of by the right hon. Gentleman the Chancellor of the Exchequer as having taken place, that a change might be accounted for by the Emperor of Russia having come to their aid. The Emperor of Russia's ambitious views had caused him for a long time past to hoard bullion—a fact which everybody knew, and which, with his despotic power, was rendered easy, as by that power he made his subjects carry on their trade with paper roubles, while he hoarded the gold. He would not, however, say that the transaction was not dictated by a fair and legitimate desire to invest his money advantageously; but it was possible that the Emperor had some vague ambitious view, by which he was prompted to think it would prove advantageous to him to have France, England, and Holland all in his debt. He might think it easier to meet our armies and our fleets through the trammels of financial difficulties; and thus, when thwarted in any of his views, instead of appealing to arms, to throw the whole weight of his 7,000,000*l.* of debt—2,000,000*l.* before, and 5,000,000*l.* now—on their respective money markets; a far easier and cheaper method of discomfiture than commanding fleets or marshalling armies. Far be it from him to say, that such were the sentiments of the Emperor of Russia; but was it not probable that such were his motives in helping the Chancellor of the Exchequer? The hon. Member for the Tower Hamlets had charged hon. Gentlemen who sat near him, with having cheered the speech of the hon. Member for Yorkshire (Mr. Cayley). So they did; but that speech did not recommend the removal of the present difficulties by pushing out notes. Such a policy would have the effect of postponing the evil; and when it did come, it would only fall on them with greater vigour. But what was the moral of all this? Why, that they had a system which did not maintain a sufficient circulation of notes to meet a pressure. He hesitated not to say, that the Bill of 1844 was essentially a Bill to maintain the integrity of that of 1819. He had told the right hon. Member for Tamworth as much, when, with a deputation of bankers, he had waited on the

right hon. Baronet at his own house. He (Mr. Spooner) then said, that if the right hon. Baronet wished to preserve his Bill of 1819, that of 1844 was essential; but that it would not have the effect desired, nor place the country in the situation it ought to be in. It was curious, however, to see how many causes had been assigned for its non-success; and even the blessings of Providence were in the number. They now laid the blame on the Bank for the present crisis; but what were the causes on which that blame had before time been laid. First, the blessings of peace and the cessation of the costs of war; then the plenty with which in abundant harvests it pleased Providence to crown that peace; then the country banks were to blame, and the joint-stock banks were set up to correct them; in 1836, however, joint-stock banks became the object of the vituperation of the right hon. Baronet; and in 1844 he brought in a Bill to make a pound intelligible. "What does a pound mean?" asked the right hon. Gentleman in 1844; and by his Bill the right hon. Baronet said, that in future in all speculations, they should have a sure and certain return for the pound. The right hon. Baronet said in private— [Sir R. PEEL: But what do you say the pound is?] The right hon. Baronet was exceedingly cunning in debate, and he acknowledged his talent; but he had sat in Parliament long enough to know that it was extremely dangerous to answer interlocutory questions. But he could tell the right hon. Baronet something. If, when Mr. Pitt came down to that House in 1797—when he stated that the safety of the nation was at hazard, and declared that whether we should yield to France and become the vassals of France, hung upon that very question, he had been met by the interrogation, "What is a pound?" and the House had refused to carry out the measure he recommended—the question would not have now been, "What is a pound?" but "Where is England?" He had not the slightest hesitation in saying, and he had the highest authority for it, that without the measure which the hon. Baronet had called a fatal one, they would never have been able to carry on the war, to resist the power of France, to defend the liberties of Englishmen and the world, or to dictate the terms of peace within the walls of Paris. But he begged to ask the right hon. Baronet a question, "What was the pound in the time of the Conqueror?" [*Laughter.*] They were perfectly welcome to their laugh; and all he could say was, that he hoped and trusted the time would come when they might have some more appropriate subject to laugh at, than that which now occupied their attention. He asked the right hon. Baronet what had been the pound through the entire of its history? If the principle of the right hon. Baronet went for any thing, it was to prevent any change, alteration, or depreciation of value. What was the pound in which the eight hundred millions had been contracted? Let them pay off the debt in that pound, and then they would be able to ascertain what was that pound. If it was intended to carry out the Bill of 1819 in all its bearings, and with all its consequences, he told them that it had not been done yet. The financial affairs of this country were so often disarranged, that on many occasions society was on the eve of dissolution; and it was never nearer to it than at the present moment. They were often told to look at the bullion in the Bank of England, as a fair index of the position of the country in a financial point of view. It was said, that when the Bank had a plentiful supply of bullion all was safe, and that no danger whatever was to be apprehended. Such was the argument used; but implicit reliance was not to be placed upon the amount of bullion in the Bank. There were, at this moment, nine or ten millions of bullion in the Bank of England; but what was the position of the country? He had been asked in that House why they did not use it. The only use of the bullion was to meet the notes when they came in. When notes to an equivalent amount were sent in, then gold was sent out of the country. He did not wish to be understood as arguing that the state of the currency before the year 1819 was good, neither did he wish to justify what had been done after that period; but he was convinced at the time that something ought to have been done; and he was sure that what had been done was not right. The drain of gold had put the country in danger; and the right hon. Baronet was quite right in his endeavour to do something to avert the evil consequences which were to be apprehended from its operation. The Bill of 1819 was followed by the Bill of 1844, which had not answered the purposes for which it was intended. The difficulties which it had entailed were many and serious. The present difficulty might be got over; but it would still haunt them

with a sense of impending danger. He had told the right hon. Baronet that the first drain of gold would overthrow his measure; but in answer to that warning he had been told that he was wrong, for that the Bank would exercise such a discretion that the drain for bullion would not cause any injury. He would just read an extract— ["Oh, oh!" *and* "Divide!"] He was not in the habit of troubling the House very often, and then seldom at any length; and he could assure the hon. Gentlemen who appeared so anxious for a division, that he would not on the present occasion detain them very long. He would not be deterred by cries for a division; neither would he, upon an occasion of so much importance, content himself with giving a silent vote, nor omit that which he considered to be his duty, namely, to warn the Government and the House that danger was impending. That danger might be stayed; its consequences might be averted for a while; but it would most assuredly return with greater force and with more lamentable consequences if they did not endeavour to remedy the evil while they had the power. What was the history of the Bill of 1844, given by the right hon. Baronet himself, in reply to a memorial sent to him from the inhabitants of a town in Prussia, congratulating him upon the success of his free-trade measures? In answer to that memorial the right hon. Baronet said, that the Bill having for its object the limitation of paper currency, had not affected public or private interests, nor deprived the country of the advantages of its paper currency; but that in placing the issue of this medium of exchange under certain moderate restrictions, it had checked abuses in times of great critical importance, as well as occasional speculation, and that it had given paper money a settled value, making it at all times exchangeable into specie. Now, although the right hon. Baronet had thus claimed for his measure the merit of giving paper money a settled value, he begged to say that since the introduction of the Bill of 1844, the rate of interest charged by the Bank had varied no less than eight times. Before he concluded, he could not refrain from calling attention to a fact which he was certain had been already communicated to the noble Lord at the head of the Government, and also to the right hon. Gentleman the Chancellor of the Exchequer. It was, that in the manufacturing districts, many orders had been suspended by merchants and manufacturers, in consequence of the difficulty in obtaining the money required to execute them, and the consequent apprehension of inability to pay their labourers. The consequences of that apprehension were most injurious to the prosperity of the manufacturers. The suspension of the orders injured the merchant, and, of necessity, injured the operative; and injured, in addition, almost all classes of society; because, as the orders could not be completed, the food which was to have come in exchange would be withheld from the country. He warned them against the principle of a system which was merely intended to keep the gold in the country. They might keep their gold, but they would disorganize society, and throw out of employment those who depended for support on manufactures; they might keep their gold, but they would starve the people.

Mr. MUNTZ would give his vote for this grant for Irish railways, as he should have voted for the proposed plan of the noble Lord (Lord G. Bentinck), if the noble Lord on that side of the House had not declared that, should the Motion be carried, he would go out of office, and he could not consent to leave Ireland without any preparation for the wants of the people. He believed that the Government were wise in the course they were taking. They said that they must be guarded in what they did, as the finances were in a bad state. Why, Ireland was in a wretched state; and if the finances of this country were in a bad state, it was the fault of this and of former Governments, and it was owing to that fault that the country could not get relief without the Government calling upon the House to be careful of the finances. He did not wish to discuss the question of the finances; the time was not come when that question was ripe for discussion. The country had not yet come to such a state of pressure that the people understood their real interests. The right hon. Gentleman was right in bringing forward his measure of 1844; for it was necessary to work his Bill of 1819. What was the cause of the present distress, but because the Bill of 1844 carried out the Bill of 1819? So the right hon. Baronet praised it, and so did the Chancellor of the Exchequer, who was the moon to the right hon. Gentleman's sun, and reflected his light by echoing all that he said upon financial subjects. It was said that the Bank of England issues were to be regulated by that Act; and he

declared that the Bank had acted on that principle: it could not do otherwise. The Bank was safe, and sound, and right; and the people were wrong because the Bank was right. Now, let them go on and try the Act. He hoped the right hon. Gentleman and the Government would carry it out and allow of no relaxation. He was sure that it would do extreme mischief; but let them go on, and so prove whether it were right or whether it were wrong. Till it was proved to be thoroughly right or wrong, he hoped there would be no interference. At present it was said that there was a sound, a prosperous, and a healthy state of things. He never before had heard of the refusal to discount at the Bank of England when she had in her coffers 8,000,000*l.* or 10,000,000*l.*; and he did not think any one else had ever heard of such a thing. What was the use of bills if they could not be discounted? Fault was found with the Bank for not sooner altering the rate of discount; but it could not alter that rate unless to prevent a speculative trade; and it was declared that the trade now was quite sound. When the Bank would not discount bills of any length of time to run, and refused to discount any beyond sixty days, then came the pressure; the increased rate was only a charge on the discounter and a benefit to the Bank, but could not prevent discounting except when there was speculation going on. The right hon. Gentleman the Chancellor of the Exchequer said that it was now over; but he had said so six weeks ago, and in six weeks hence it would be as bad as ever. Well, then, what was the present state of things? Were they to suppose that the Chancellor of the Exchequer was right this time, because he was wrong last time? Generally speaking, they would reason the other way; and he would say, that he had seen the Chancellor of the Exchequer incorrect ever since he had known him, and particularly as to the last transaction. He, therefore, had no confidence in anything that the right hon. Gentleman was going to do. It had been said by the right hon. Gentleman the Member for Cambridge, and also by the noble Lord the Member for Lynn, that a great deal of the prosperity of the country was owing to railways. He remembered, when he stated that, in 1843 and 1844, it was doubted; but still, how had it worked on the present time? It had a great effect upon manufactures, in consequence of persons investing their money in railways instead of laying it out in legitimate trade; and, by artificially raising the rate of wages above its relative level, had, by raising prices here, prejudiced foreign export trade. He would merely make one more observation, and it was this—that for the last thirty-five years that House had been legislating for one interest, and for one particular class—the money interest—and he did not see why that should be done at the expense of the many.

Mr. M. J. O'CONNELL wished, before the question was put, to say a few words on the subject immediately before the House. He did not object to the principle of the noble Lord's (Lord George Bentinck's) proposition for assisting the resources of employment by making railways in Ireland; but experience and reflection had since confirmed the opinion which he entertained when the Motion was before the House, that by making such large demands for the purpose, he had done great injury to his cause. If the noble Lord had asked for an advance of one million a year, instead of four millions, he might have done much more for the success of his plan. He did not intend to go into the question raised by the two hon. Members for Birmingham, for he thought that it would be much better to bring the subject forward in the shape of a substantive Motion. If these hon. Gentlemen thought that the laws regulating the currency were wrong, it would be much better to bring forward a proposition to that effect, rather than introduce the subject in a discussion on Irish railways. He wished to address himself entirely to the Irish part of the question. He rested his support of the present proposition on very different grounds to those urged by the noble Lord the Member for Lynn in favour of his Motion. The difference between the two propositions was, that it was now proposed to aid the completion of railways which were before them at present; and it was not intended to give an undefined assistance to railways only in contemplation. They were now merely called upon to aid those railways which were before the public, and upon which a large amount of capital had been expended; and which, therefore, could give good security for the money advanced on them. He was totally unconnected with any railways beyond having local interest in their formation; but he hoped and believed that the proposition of the Government would not be rejected by the House.

as these railways now before the House were worthy of the assistance which Her Majesty's Government proposed to afford them. The hon. Member for Wycombe (Mr. B. Osborne) had alluded to the Southern and Western Railway of Ireland, with reference to which he was also anxious to make a few observations. On a former occasion the Chancellor of the Exchequer was led too far into a course of opposition to the noble Lord the Member for Lynn's Motion, in throwing discredit on the prosperity of Irish railways. The hon. Member for Wycombe had that night shown, from the weekly returns of the railway between Dublin and Cashel, that last week the returns amounted to 1,500*l.* He was prepared to justify this statement to the fullest extent. The length of that railway was fifty-six miles; it had cost 12,000*l.* a mile in its construction; and the whole cost, including the expense of erecting stations, was 670,000*l.* He held in his hand, returns on the capital for some months past. In October last, the returns were 650*l.* a week; since then they had been gradually advancing, and that not in a feverish manner, for they had increased in the course of a few months from 650*l.* to 800*l.* a week. For the last six or seven weeks the returns had averaged more than 1,000*l.* a week; until last week they amounted to 1,588*l.* When there was such a return of profits on only a portion of the great line of Ireland, it was hard to say that the proposed advance was not made in a safe prospect of an adequate return. This country had agreed to advance a very large sum for Ireland, namely eight millions, for the support of the Irish people; but he still felt that those must be rigid economists indeed who refused such an advance for such a purpose as was now proposed. [Mr. ESCOTT: Hear, hear!] The hon. and learned Member for Winchester (Mr. B. Escott) cheered; but if he opposed such grants, why did he not oppose the resolutions for the large advances which were proposed and carried on a former occasion? To have been consistent, the hon. and learned Gentleman should have opposed the loan for eight millions for the relief of the Irish people. The present proposition was merely for the employment of the labouring classes on railways which were now in the course of construction in Ireland. He could not understand the objection to the withdrawal of labour from other descriptions of work in such a case as the present. They had heard much of the great distress that prevailed in the neighbourhood of Mallow; and most serious charges, some of which he feared had not been refuted, had been brought against the landlords; but he was sure the House would be glad to learn that at the present time upwards of 3,000 persons were now employed on either side of that place in the construction of the Southern and Western Railway. He wished to make a few observations on a communication made to-night for the first time on the part of Her Majesty's Government. They had promised at the beginning of the Session a project for the reclamation of waste lands in Ireland; and they had heard from the Chancellor of the Exchequer for the first time that night that Her Majesty's Government proposed to withdraw the notice for a measure for that purpose. He was anxious to express his deep regret that they had come to such a determination. He did not mean to say that they might not have found great and unexpected difficulties in their way; but in fairness to the people of Ireland they should have made up their minds sooner; and this he was sure was an opinion not confined to himself. How stood the matter? The notice of a measure on the subject of waste lands in Ireland had been on the books for some weeks. From day to day, from week to week, from notice-day to notice-day, this subject had been postponed; and that night, not the Secretary for Ireland, but the Chancellor of the Exchequer, stated that it was not intended to proceed with that measure. He did not understand that step on the part of Her Majesty's Government; and he did not think the people of Ireland would understand it. He perceived in the Notice-book for the day that the matter stood No. 7 on the list, as postponed from a previous day; and it was marked as to have been brought forward by the right hon. Gentleman the Chief Secretary for Ireland. What new arrangement Her Majesty's Ministers might have made, or what new counsel they might have taken, he did not know; but this he would say, that they ought not to let that notice pass over as a mere dropped one. They ought to give some reasons for their change of conduct, in other and fuller terms than the very curt and cursory notice given that evening by the Chancellor of the Exchequer.

SIR R. PEEL: Sir, in the whole course of the discussions that have taken place upon measures intended for the relief of

the people of Ireland, the last wish I have had was to throw any difficulty in the way of Her Majesty's Ministers. I have been fully sensible of the magnitude of the danger they have had to encounter. I am fully conscious of the extreme difficulty there is in forming any sound judgment as to the measures that are best adapted to meet the present crisis—how easy it is to err with the best intentions, and how indulgent all of us ought to be, considering the magnitude of this crisis, and the greatness of the task to be undertaken. Sir, it is then with very great reluctance that even now I express my dissent from the course which the right hon. Gentleman the Chancellor of the Exchequer proposes to pursue in respect to this vote. I differed, Sir, from the noble Lord the Member for Lynn some weeks since, when he proposed his measure for the encouragement of railway enterprises in Ireland. The measure of the noble Lord was, however, free from some of those objections which I think apply very forcibly to the measure before us now. The noble Lord's proposition was a general and impartial measure, giving facilities without any distinction to all railway enterprise in Ireland. Sir, I think our objections are as applicable to the proposal of the right hon. Gentleman the Chancellor of the Exchequer, if we regard it either as a Motion involving a principle in itself indefinite —namely, as applying to all railways which fulfil the conditions which these three railways particularly referred to have fulfilled; or if we view the proposal as exhibiting partiality in selecting three particular railways, and giving some of the public money for their encouragement alone, excluding at the same time all other railways that may hereafter entitle themselves to the same encouragement by the performance of the same conditions. Now that which makes me hesitate in giving a vote for the Motion of the right hon. Gentleman is this — that, in 1844, I thought it my duty on the part of the Government to make a proposition to that railway company, which I must say had first set the example in Ireland, of great personal exertions and great enterprise. I did, Sir, in the year 1844, make such a proposition to that particular railway, as to justify them in the expectation, that if they completed a portion of their line by their own exertions—if they opened it to the public, and thus entitled themselves to give full and ample security to the Government, that the Treasury would be willing to receive favourably any applications on their part to the Government for assistance. But that railway company declined to accept the aid of the Government, as they thought they could borrow money under more favourable circumstances. And, therefore, finding now that other railway companies must borrow money, paying 8 per cent on the principal advanced—having declined the offer of the Government when the money could have been advanced without material loss—I do not think it right, Sir, that this particular railway company should now come to the Government, at a time when the interest has advanced to 8 per cent, and ask them to fulfil their original offer. Then with respect to the two other railway companies to which the right hon. Gentleman proposes loans. What is the principle involved in respect to them? Although the sums proposed to be advanced to them may not amount to more than 100,000*l.*, yet still I think that there are evil consequences to be dreaded from selecting two railways in particular for Government aid, unless we are prepared—if other railways fulfil the same conditions which these two have complied with—to expend the same amount of money in their favour. But the objection which weighs with me especially, is the particular moment that has been selected for bringing forward this proposition. I must say that I concur in opinion with my hon. Friend near me in thinking that this is a time of peculiar and special embarrassment. We are aware, Sir, that the Bank of England has thought it necessary to reduce the amount of her securities by 3,000,000*l.* I am of opinion that this sudden reduction in the public securities has led materially to the present panic. I think, however, that this panic is entirely unjustified by any real cause. But still, it is important to remember, that since the proposal of the noble Lord the Member for Lynn was made to this House, Exchequer-bills have been hovering between a premium and a discount. Since that Motion was made, there has been an increase in the interest of Exchequer-bills. Now, notwithstanding that increase in the Exchequer-bills, within the last two or three days they have varied between 2*s.* and 10*s.* discount. The loan, too, which the right hon. Gentleman has so recently obtained, is at present at a discount of 3 per cent. Are those persons to be subjected to loss who were willing to come forward and aid the Government—for a

profitable return to themselves, it may be urged—but still they were willing to come forward and aid the State. It is rather hard upon them to subject them, without previous notice, to a loss. I believe it is highly necessary that the Government should receive general confidence with respect to the particular measures they propose for arresting the famine in Ireland. It may be said that in respect to these railways there is made out a special case for Government assistance, which is peculiarly called for in the present awful emergency in Ireland. But against that argument I urge this objection—that the labour to be given on these railways is not an effectual mode of relieving the distress that prevails. I thought, in the first place, it was admitted that the true policy of railway contractors, even if the State lends its aid to them, is to employ the best skilled labour that can be found in the neighbourhood; and that it would be unwise to bring from a distance the father of a family, from Connaught to Munster; and I thought that it was generally admitted that the labour employed on railways was not the most efficacious mode of relieving the distress. This objection applies with still greater force to the proposal of the right hon. Gentleman. It is not, however, so much on that account that I dissent from the proposal, as on account of the present peculiar crisis of the country. It was of importance to Ireland, as well as to the other parts of the empire, to maintain the public credit. I am, therefore, sorry that the right hon. Gentleman has thought it necessary to make this proposal. Desirous as I am to give my support to the present Government during this crisis, and do all I can to maintain public credit, I do find it impossible to give my vote in favour of the present proposition. I did venture to intimate an opinion against the policy of the measure proposed for the culture of waste lands in Ireland. I told the noble Lord that he would find greater difficulties than he anticipated in attempting to deal with this question. The announcement made this night by the right hon. Gentleman the Chancellor of the Exchequer has rather confirmed me in the impression I entertained. Perhaps the right hon. Gentleman may use the specious and captivating argument—namely, "We have given 8,000,000*l.* for the relief of Ireland. I will not say anything now of the public works. The soup-kitchens will not cost as much money as we supposed; let me then spend a portion of the public money upon the Irish railways." Now, I confess I always hear such an argument with the greatest suspicion. If you have this money to spare, then, I say, it is your duty to increase the balance in the Exchequer; and to dispense with the necessity of asking assistance from the Bank of England. Nothing can be more dangerous than an argument like this—namely, "I have got 8,000,000*l.* for Ireland. There are not as many demands to meet as I expected; therefore, I need be less economical than I otherwise must have been. I expect, then, that the House of Commons will listen to this application for a loan of 620,000*l.* on behalf of Irish railways." It is because the House of Commons has been willing to give way—because they have been liberal—it is on that very account that it is more incumbent on you to apply every saving you have, not to another species of expenditure, but to diminish the public liabilities. I do not blame the right hon. Gentleman for withdrawing the Waste Lands Bill, if he found that from unexpected difficulties he was unable to bring it forward in such a shape as to entitle him to support; on the contrary, I think he acted a manly part in taking that course. It is on other grounds that I object to the present measure. I think that if you give any advance of this kind, it should be an advance in which all parts of the United Kingdom should share, giving the same security for repayment; and I must object to any grant from which Scotland and England are excluded. I do not see how you can withhold the same assistance from the proprietors of Scotch railways, who are making great exertions, and whose works are carried on in a country suffering under great distress. But the proprietors of this southern Irish railway will not have us think that they are dependent solely on Irish capitalists, but tell us that a large proportion of their shares are in the hands of great English capitalists. Now if this be the fact—if this Dublin and Cashel Railway does really belong, not to these destitute shareholders, on whom the right hon. Gentleman was so severe on a late occasion, but to the right hon. Gentleman behind me— [*Mr. Hudson made a gesture of dissent.*] I know the right hon. Gentleman always disclaims having a share in any Irish railway; but if it belongs to men like the right hon. Gentleman—sagacious men, men of

substance, not resident in Ireland, but good speculators with a view to gain—if these are the men who hold the chief shares in this railway company, upon what possible ground do you propose that they should be allowed to borrow money at 5 per cent, when all the world besides are paying 8? Upon these grounds, though not without reluctance, I must record my vote against this proposition. With respect to another proposition brought under discussion, that of the currency, I think I could have resisted the temptation of a single Member for Birmingham; but the spur in each flank is too much for me. I think this a very inappropriate occasion for a general debate on the currency and monetary system. [Mr. SPOONER: I did not begin it.] No, but the hon. Member sanctioned it by following the example set by others; besides he is a high authority, and represents a constituency having the strongest feeling on the subject. I do not wish to be provoked into a general discussion; but it is impossible that I should preserve an entire silence. The hon. Member made me a sort of promise that, if I would tell him what a pound was at the time of the Conquest, he would tell me what he, or any other banker, means when he issues a note to the public, and says, "I promise to pay 5*l.*" I ask him what are the 5*l.* which you promise to pay? It seems a simple question, particularly for a banker; but he says I am an insidious man, and he cannot trust himself to answer me. A pound at the time of the Conquest—and various other times since the Conquest—I can tell the hon. Gentleman, may have varied in the quantity of metal; but it always meant this, a definite quantity of the precious metals. Originally it was a pound in weight, from which I presume it took its denomination. There may have been a silver standard and a gold standard, and the coinage may have been defective and worn. I know there are advocates of a worn coinage as well as of 1*l.* notes; but since the time of Elizabeth, the policy and intention of the law has always been that the standard of value should be a given weight of the precious metals. The hon. Member says that if Mr. Pitt had been asked what a pound meant, and had attempted to have given an answer, in 1797, the consequence would have been that this country would have been lowered in the scale of nations; and, to cap the climax, I should not be sitting where I am. I am satisfied, however, that if anybody had asked Mr. Pitt, when he proposed the Bank Restriction Act, "Is it your intention to establish an inconvertible paper currency?" his answer would have been, "God forbid!" The restriction placed on the Bank in 1797, was never intended to continue beyond the war; but see the evils of a first departure from principle. That the glories of that war were owing to the issue of inconvertible paper, I will not undertake to say; but this I will undertake to say, that the social condition of the country was most materially impaired by it; and I can tell the hon. Member that the class which suffered most from it, was that class which receives the wages of labour. [Mr. SPOONER: No.] Not the class which receives the wages of labour? Why, I could prove most decidedly to the hon. Member, that while the wages of labour nominally remained the same, their command of the necessaries of life was greatly reduced. But my hon. Friend confesses that, notwithstanding all the glories of the war, the currency before 1819 was most imperfect. In what respect? It was inconvertible. What course would my hon. Friend then have taken in 1819? The hon. Member referred to a letter of mine to the inhabitants of Elbing, declaring that the value of paper money should be equivalent to that of coin; and I believe he has correctly represented the sentiments expressed by me on that occasion. "Equivalent in value to coin!" exclaims my hon. Friend triumphantly, "why I will prove to you that at eight different periods the rate of interest has varied." Was there ever such an argument heard as to assert that, because the rate of interest varied at eight different times, the intrinsic value of money varied also? I quite understand my hon. Friend arguing that, in 1819, it was unwise to restore the gold standard. My hon. Friend must say, that the debt during the war was contracted in paper, and that paper is not an equivalent for gold, although nominally it professes to be so; and that, therefore, when you made the arrangement of the currency, you ought to have adopted as a standard, not gold at 3*l.* 17*s.* 10½*d.* an ounce, but gold at 5*l.* an ounce, or something or other, which, according to my hon. Friend, might represent the depreciation of paper which took place during the war. That argument I understand; but, with the exception of pecuniary engagements, it is a matter of utter indifference, provided you pay your promis-

sory notes in coin, whether you adopt the gold standard of 3*l.* 17*s.* 10½*d.* an ounce, or 4*l.*; and it would be no relief to the present difficulties—it would be no relief to the embarrassments under which commerce is labouring—if the standard were 4*l.* or 5*l.* instead of 3*l.* 17*s.* 10½*d.* Foreigners would know the value of your currency, and would make a deduction. You may debase coin as you please for the payment of internal debts; but it is a matter of utter indifference to the pressure on the Bank in a time of commercial difficulty, provided you have, instead of an inconvertible paper currency, an obligation, at some time or other, to pay in coin the holder of the note which promises to pay. Would my hon. Friend now undertake to revise the arrangement of 1819? because that is the question. If he would not do that, and deprecate an inconvertible currency, my hon. Friend has no remedy whatever to propose. If, indeed, you will issue 1*l.* notes, and will encourage the export of your gold circulation, that for a time will give some relief; but if you maintain convertible paper, and are not prepared to revise all the transactions—not only those which preceded 1819, but the countless mass of transactions which have taken place since 1819—no proposal which my hon. Friend made or hinted at to-night will have the slightest effect in diminishing such difficulties. Every transfer which has taken place in the funds since 1819—the purchase of funded property—is paid for according to the appreciated currency; and every man who has bought an estate, or made a mortgage, has acted on the same basis. The transactions since 1819 infinitely exceed in value and amount those before 1819; and is it possible that the most strenuous opponent of the propriety of the arrangement of 1819 can now advise us to a totally contrary adjustment of all the money transactions? With respect to the Bill of 1844, my hon. Friend admits that, in order to maintain the standard of 1819, the Bill of 1844 was necessary. He has not a fault to find with the Act of 1844, unless you are prepared to supersede the arrangement of 1819. The object of the Act of 1844 has been completely misunderstood. The main object of that Act was to secure the convertibility of paper into gold. Another object was to have such a currency as should ensure to the holder of paper a full equivalent for the nominal value; and, at the same time, not to restrict the ordinary operations of commerce in this great country. My firm belief is, that the Act of 1844 has imposed no such restriction. It is a perfectly erroneous view of the Act of 1844 to say that it contains some self-acting principle, and relieves the Bank of England from all responsibility. I totally deny the right of the Bank of England to relief from responsibility in carrying out the Act of 1844. The issue department works itself. That is quite clear; there is a self-acting principle there. The amount of notes issued from the issue department of the Bank is governed by law, and in that respect the Bank has no discretion; but the Bank has a discretion to exercise in the banking department. The Bank is responsible for the general superintendence of the monetary concerns of this country; the Bank has the power, by foresight and caution, of preventing ultimate embarrassment; the Bank has the power of unduly increasing the circulation, and of unduly restricting it; and I do understand that the Bank recognised the principle upon which the Act of 1844 was founded, and acknowledged the obligation to conduct its concerns with some reference to the exchanges. The Bank directors require no testimony from me of their high honour. I never can speak of the Bank of England, without bearing my testimony to the honour of those concerned. I speak of any conduct of the Bank with great hesitation; but I am bound to say that so far from thinking anything which is now occurring to be an impeachment of the Act of 1844—I say that both the time of prosperity and this present time of adversity convince me that the principles of that Act are founded in sound policy, and that they ought to be, as far as we are aware, strictly maintained on that account; and that as to the present difficulty in which the commercial world is placed, the rigid observance of the general principles on which that Act is founded would have prevented it. The Act of 1844 never professed to teach the people of this country—at least not to inculcate upon them as a duty —the necessity of caution; and I must say, that I think there has been, on the part of almost all the community, a great disregard of indications of danger which have been perfectly legible since the month of August, 1846, when there was the notoriety of a great failure in the harvest, and the perfect assurance that an unusual and almost unprecedented quantity of food would be required, not to be provided for

by the ordinary operations of commerce—those ordinary operations being themselves impeded by circumstances which have been referred to—viz., the enormous amount of capital devoted to railways, laying, it is true, the foundation of prosperity; but accompanied with these disadvantages. Everybody has been desirous of a share in the profit of railways. I think it most important that the capital of the country should rather be employed in railways than in foreign speculations; but still it has a tendency to derange commercial transactions. What is now the fact? Why, the community have become all borrowers, and have not been, I think, sufficiently attentive to the signs of the times. Allow me also to say, with all deference and respect to the Bank, that I think the Bank also was unmindful of the signs of the times. The Bank, at the beginning of this year, in the month of January, was exposed to a drain from the Continent for a period of not less than twelve months. It was the special duty of the Bank, as superintending the monetary concerns of the country, to make early provision for the danger. I cannot understand why the Bank should not have raised the rate of discount; and I totally differ from the hon. Gentleman as to its being the duty of the Bank to put out as much money as they can. I should be exceedingly sorry if that were the principle on which the Bank acted. If the Bank may at all times issue large sums on discount, charging only 2 or 3 per cent, what does the Bank do? It draws from the money-broker and discount houses; it attracts to itself a great portion of their valuable custom. They are induced to deal with the Bank from their respect for the concern, and its undoubted credit; but they establish a claim on the Bank; and you cannot draw from great houses their commerce without preferring a claim for accommodation from the Bank. If the Bank were suddenly to turn round and refuse that accommodation, it would appear to act with great harshness, and in a manner opposed to the true interests of its proprietors. But, as I said before, the Bank is not relieved from the peculiar obligation imposed upon it. The Bank would be offended with any one who should say that it might remain as indifferent as a private bank to the state of the currency, and that it had no right to exercise any influence over the monetary affairs of the country. As far as I can judge, I am inclined to think it would have been much better if the Bank had raised the rate of discount in January last to 5 per cent, or to 6 per cent, or to any other amount which the necessity of the case might have required, rather than impose any arbitrary restrictions on the date of Bills. I believe that, with a timely precaution on the part of the Bank—such as would have been fairly justified by the indications of the times—the difficulties which have since arisen, would have been, if not altogether prevented, at least very materially diminished. The Bank may have a statement to make which would be a sufficient justification of the course it has pursued; but, speaking from the information I now possess, I must say, with all respect for the Bank authorities, that their continuing their rate of discount for several weeks at 4 per cent, with a great and uninterrupted drain of gold taking place—I must say that I do not think that was a wise course; and I believe that it has precipitated, and indeed that it has been the chief cause of, the embarrassment of the last few weeks. If you are to have a bank for regulating your monetary affairs, you must be prepared for relaxations and fluctuations in its transactions. It is quite evident that no monetary regulations, that no Act imposing restrictions on banks of issue, will prevent the natural consequences of excitement and speculation; and unless our banks make timely provision—unless they disregard clamour—unless they take early precautions—depend upon it, if your currency be convertible, the necessity for restriction will return in an aggravated form, increasing the difficulties under which all classes of the community labour. That is inevitable. Sir, I may be supposed to speak with a natural prepossession in favour of the Bill of which I was the immediate author; but I can say with perfect truth, that if I thought that any meddling with that Bill—that any relaxation of the Bill—would be any real remedy for the present embarrassment, or any effectual cure for the present panic, no paternal regard for that Bill would prevent me for one moment from advising its relaxation. But my firm belief is, that no relief would be derived from any meddling with that Act. Your exchanges would not bear any great increase of your paper currency. You have now 9,000,000*l.* or 10,000,000*l.* of gold; you are at all events free from that which you had at former periods of commercial embarrassment—you are free from any internal panic as to the solvency

of the Bank. Take care that, in the hope of relieving present difficulties by an increase of paper, and an advance of Exchequer-bills, or by permitting the Bank to issue 16,000,000*l.* instead of 14,000,000*l.* on securities—take care that you do not incur the further dangers of depreciating your currency and causing a demand to be made on the Bank, not in consequence of any import of food, but in consequence of the discredit of the Bank. Sir, if it be true that the present state of trade—I mean of course speculative trade—is satisfactory; if it be true that the Bank is perfectly solvent, and that the value of your paper currency is fully maintained—if it be true that the wages of labour are paid in a medium which ensure to the holder a full equivalent in articles of subsistence for his labour—I do earnestly entreat the House not to be tempted by any hope of solving present difficulties to encounter the infinitely greater danger than any now existing, which you must incur if you so depreciate your currency that the Bank will not be able to maintain the payment of its paper in gold, as it professes to maintain it. I do earnestly hope that you will not again expose yourselves to all those evils from which you have escaped since 1819, with so much pain and suffering, and which you cannot again encounter without shaking the foundations of the prosperity of the country, and greatly lowering the condition of all classes of the people.

LORD J. RUSSELL: Sir, after the speech of the right hon. Gentleman, and especially after that part of it which went to the merits of the resolution in your hands, I must ask for a short time the attention of the House, in order to place before them what I consider to be the difficulties of the position of the Government, in order that they may consider the merits of the case before them, not absolutely as a question solely affecting general principles, but as a question relatively connected with the present condition of Ireland, and the enormous calamities that afflict that country. Sir, the hon. Member for Wycombe has asked me—"Seeing the immense amount of surplus labour there is in Ireland, how do you propose it shall be absorbed?" Now, I must decline, on the part of the Government, assuming the responsibility of providing for the absorption of any great excess of labour that may now exist in Ireland. We have had in the course of time—whether owing to the effects of legislation, or to the faults of the landlords, or to the faults of the tenants with long leases, or to the disposition of the people themselves, or whether it be owing to all those causes together—we have had causes, from which there has arrived a state of things in Ireland in which there is an immense mass of people living on agriculture, and yet not paid by the wages of labour sufficiently for their subsistence. Take the proportion put by some Gentlemen, eight labourers where there are three in England, or, according to others, eight to four in England, still the result is nearly the same. An immense calamity has happened in that country—the destruction of the produce of that country to the extent, according to the calculation of my right hon. Friend the Secretary for Ireland, of 18,000,000*l.*—of the produce, which, to a great part of the population, stood in the stead of wages. What is to become of them in future? I deny, on the part of the Government, the responsibility of completely, still less suddenly, resolving that question. I say that a more difficult problem never came before the Legislature. I say, you may mitigate the misforture arising from that calamity —you may pass through the transition with more or less of misfortune—and you may at last arrive at a more happy state of things; but no one will say that this state of things, which has been growing for ages, and which has been suddenly brought to a crisis by the destruction of the potato crop in Ireland, can be completely arrested by the Government, so as to avoid very great suffering, and place the people at once in a state of very great prosperity. That is a solution which neither we nor any other Legislature could undertake to provide. What we can do, and what we, the Government, have endeavoured to do, is to mitigate present suffering—to save, as far as possible, the destruction of life imminently impending, and to facilitate in some degree the advent of a better order of things. I need not enumerate the measures we have adopted to accomplish the first of these objects. They have been very costly, and to meet the expense of them has caused considerable difficulty in the finances of the country and suffering to the people. But when the alternative was, as I am told some philosophers put it with great calmness, whether the Government and the Legislature should not interfere, or whether 2,00,000 of people should be allowed to perish without interference, I say it would be repug-

nant to the feelings, not only to the present House of Commons, but of any House of Commons, and of any Ministers who might sit on these benches, not to have attempted to mitigate the evil. Well, we introduced measures which we hoped would be effectual to that end; and I believe that the maintaining 730,000 persons on public works, during the severe months of winter, was conducive, though with some waste and mismanagement, to the preserving of the lives of a great number of the people of Ireland. Sir, the next question, and the most serious question, is one which I separated from the others in the course of the exposition of our general policy which I gave at the commencement of the Session —how we were to attempt, by measures of a practical nature, to facilitate the transition of the people of Ireland to a better order of things, and to promote the future prosperity of that country. I am bound to say at once to the hon. Gentleman the Member for Wycombe (Mr. B. Osborne), that I could not pretend, and did not pretend, and I will not now—I say not what he might do, or what others might do—but I say we do not pretend to force a compulsory measure, or a set of compulsory measures, which, without modification, should be proposed all at once, to be adopted by Parliament, in the hope that they would work beneficially to the end in view. I am not so Quixotic as to expect to carry such measures. I considered it expedient that we should propose measures which were generally well calculated for the end; and I did expect that some of those measures, with modifications, would be adopted by Parliament, and be attended with benefit—and considerable benefit—to the people; but with regard to others, I expected that we should be obliged to change or even to abandon them. In my statement at the commencement of the Session, I said that we proposed to advance 1,000,000*l.* for the improvement of landed estates in Ireland, and 1,000,000*l.* for the purpose of the reclamation of waste lands. In introducing the former measure, which was but an extension of a measure passed last year, we thought it advisable to advance half as much more, and to make the sum 1,500,000*l.*, instead of 1,000,000*l.* With regard to the other measure, I have little more to say than to repeat what was stated by my right hon. Friend this evening. The virtue of that measure consisted in its great power to effect good independent of its compulsory provisions. But after this measure was introduced into the House, we heard from various quarters that, to take from the possessors private property belonging to them—assuming for the State a power to dispose of private property—would be considered so violent a measure in this, but especially in the other House of Parliament, that the measure was not likely to meet with sufficient support. This led us to consider, shortly before the Easter recess, whether the measure, without the compulsory clauses, could not be so modified and adapted as to effect a very considerable good, though not with the same amount of benefit as if it contained the compulsory clauses. The measure was taken in hand to be so adapted by my right hon. Friend the Secretary for Ireland; but the more he went into it, the greater appeared the difficulty of adapting the measure, shorn of its compulsory clauses. I then stated frankly to the House our feeling with regard to this measure; and when my right hon. Friend brought it forward, he stated the general purport of it, and said he would lay it upon the Table of the House for its consideration; but he would not pledge himself to carry it through the House during the present Session. With respect to the 2,000,000*l.* which I stated was applicable to the improvement of the soil in Ireland, half a million is no longer proposed to be applied to that purpose. That is an answer to one of the observations of the right hon. Baronet, that it was unfair to those who contracted for the loan to bring forward a new expenditure upon which they could not reckon. We had stated in January that there would be 2,000,000*l.*, and, according to my right hon. Friend, 2,120,000*l.* Surely this is not such a breach of faith as that the loan-contractors could have a reasonable ground of complaint against us. But the right hon. Baronet has another objection to the proposition now before the House. He says that this is a measure which depends upon a principle that will oblige you to increase very heavily the national burdens, or risk the finances of the country for works which would be only partially executed. It appears to me that this argument, if carried to the full extent, would apply to the advances made every year. Suppose (as the right hon. Gentleman the Member for Cambridge said) as 350,000*l.* is devoted every year to loans for these purposes—to drainage and to railroads—suppose the whole 350,000*l.* was to be lent to

a railroad, there would be no more left, and when the next railroad company came, they would find that there were no more funds available. In the same way, we may very fairly say we find ourselves in the same circumstances; that Parliament has placed at our disposal this year 620,000*l*., but we do not bind ourselves to advance any farther sum. Railroad companies apply to the Loan Commissioners, and when they come to them the Loan Commissioners say, they are willing to advance the money to them, but have no money in their hands. It is fair to say that money shall be advanced, and if any peculiar circumstances shall arise, to say, "The pressure is too great; we have gone as far as the circumstances justified us, and we cannot put the country to any further pressure;" that is, taking into consideration the peculiar state of Ireland. I grant to the right hon. Baronet that if this was a common case, and the case was in England, and the loan of 620,000*l*. was to be made to England, the objection might have full weight. But this case is one peculiar in its nature and of the last magnitude. The people of Ireland are forced to adopt another kind of food than that to which they have been hitherto accustomed, and are forced to relinquish their small holdings; and the question is, what are the means legitimately at the disposal of the Government by which we may make the transition easier? And for this purpose we do not risk success by trusting to a single remedy. I am not aware of any single remedy, of any panacea, that can cure the evil. I believe it is only by trying different measures and various resources that we can hope, I do not say to conquer, but to moderate and mitigate the evil; and if we make advances of money for constructing harbours, for the encouragement of fisheries, so as to give employment to a portion of the people whilst they are enabled thereby to obtain a good and wholesome and cheap food, that, I think, will be a great advantage; and by advancing money to landlords to reclaim waste lands, and thereby increase the agricultural produce of the country, we shall likewise effect a great good. And the same with respect to railroads; for though I thought that the plan of the noble Lord (Lord G. Bentinck) of advancing 16,000,000*l*. for the construction of railroads in Ireland would be too great a drain upon the finances of the country, yet I am not at all opposed to the advance of money for public works, and none are more important than railroads in Ireland. In conformity with the opinion I expressed in 1839, I gave my adhesion to the plan of my noble Friend, then Secretary for Ireland, when he proposed an advance towards the railways in Ireland; and I have regretted to the present day that that plan was not received with greater favour by the House. I think that if, in 1839, we had acted on the plan proposed by my excellent friend, Sir John Burgoyne, and by the late Mr. Drummond, the condition of Ireland would have been far superior to what it is at the present moment. There are arguments very ably stated in this report, to which the right hon. Gentleman has more than once referred. The argument is, that by means of railways you give the means of bringing the agricultural produce of Ireland to England. By that means you enable them to get a better market for their produce—you increase the agricultural wealth of Ireland—and you thereby increase the profitable and useful labour of Ireland. I think it is stated in that report, that you have 1,200,000 tons of agricultural produce brought yearly from Ireland to England. With regard to the railway from Dublin to Cork, it is stated in that report, that this railway would go through a country of average fertility, some parts of which are very rich indeed in agricultural produce; that the communication between Dublin and Cork would improve the harbour of the latter city; and that a great amount of agricultural produce would be brought by means of that railway. I have never been of opinion that employment upon railways would be of any use in mitigation of the present distress in Ireland; but I have always contended, on the other hand, that the construction of railways might be a great remedy against the future misery of the country—against that misery which we have seen during the past year; that it would be the means of increasing the agricultural wealth of Ireland, and thus of giving food to thousands, and, in future years, to millions of the population. Considering, therefore, the peculiar state of Ireland — considering the difficulties which we have to meet in that country—considering that the sum which we now propose is scarcely larger than that I proposed on the 25th of January—I think, Sir, we are justified in asking the House to consent to the vote now in your hands. We do not argue, as the right hon. Gentleman appears to think, that because we

have 620,000*l.* in the Exchequer, we ought to devote it to Irish railways. I agree with him, that would not be a reason for such a proposal; but the right hon. Gentleman cannot deny that the state of Ireland, during the present year, forms an exception to almost every rule, and that it does impose very great difficulties upon this House and upon the Government; and also that some measures trenching upon the ordinary rules of finance may be justified when the prosperity of a country so closely united with England is the object at which you are aiming. On these grounds, Sir, I think the advances we propose to make to these railways may be justified. I feel very heavily, I have felt all the year since the failure of the potato crop became certain, the very great responsibility which rests upon the Government on this question. I am aware that attacks have been made upon us on various grounds—that attacks have been made upon us in this House, in the country, and also in Ireland. Some have affirmed that we have been the cause of a great waste of the public money—that it is an unjust demand upon the people of England to ask them to raise the suffering poor of Ireland, and to preserve them from perishing. Others, again, have exclaimed in Ireland against the heartlessness of a Government which has allowed persons to perish, while food could and ought to be supplied to every famishing person in Ireland. Sir, we have steered between these two opposite courses. I cannot think that either of them is right. I do not think it right that we should stand by with arms folded, and assume an attitude of dignified indifference during the present calamity. I do not think it right, on the other hand, nor just, that we should attempt to feed all the people of Ireland, and that we should hope by that means to prevent that state of suffering and of death by starvation, which cannot but occur during such a famine as exists in the present state of Ireland. Indeed, Sir, with regard to the last question, I believe that the declaration we made that we did not intend to interfere with the supply of food from abroad, has been the means of bringing forward a greater quantity of food for Ireland than would otherwise have been done. There is now no part of the continent of Europe in which provisions are found to be cheaper than in Ireland. It does not follow from this statement that many have not died from the want of food and from the effects of fever. Sir, I feel the difficulty of property in Ireland bearing the whole burden of the present famine. We have, therefore, proposed that advances of the public money to a great amount should be made to help the people of Ireland and the proprietors of Ireland in their present struggle. The hon. Gentleman the Member for Wycombe (Mr. B. Osborne) has asked whether we intend by our Irish measure to destroy the landlords of that country? Sir, I reply that our best hope of getting through the present difficulties is in the landlords of Ireland being both able and willing to assist in that work. There may be many landlords in that country whose estates are so encumbered that their best course may be to avail themselves of the facilities we have afforded them, and get quit of their present titles of proprietors. But with regard to many proprietors of land in that country, we feel that our best chance of getting through its present difficulties is in their being able in future years to bear the burdens put upon them; that they should look to the improvement of their lands as a source of income to themselves, to their tenants, and to their labourers; and that it is by the cordial union of the three classes, the landlords, the tenants, and the labourers—not by a violent convulsion, but by more kindly knitting together the various orders of society—that we are to look for the regeneration of Ireland. I will now say a few words on a question which has been raised to-night with respect to the commercial state of the country, and especially as to the state of the money market. Upon this subject I will remark that my right hon. Friend the Chancellor of the Exchequer did not say to-night, as he had been represented to say, that the danger was passed, and that there was no longer any danger. Far from it. He stated various circumstances which induced him to take a more cheerful view of the monetary state of the country than it was possible to take a week or ten days ago. These facts cannot be denied, and there are others of a more general nature which induce us to look with more hope to the future. In the first place, there is no depreciation of our currency from excess. Our commercial exchanges with the continent of Europe are more favourable, and show that there is no depreciation of that kind, or that our currency is in excess. In the next place, there is not that over-speculation in trade and in goods as to produce such an accumulation of stocks that it is not likely any

profitable trade can be carried on for a long time. On the contrary, the course of trade has been healthy; and, as far as I can get information, the stocks are not larger, if so large, as they have usually been at this season of the year. The manufacturers are not working without orders, nor have they suspended work altogether for want of orders. Undoubtedly there are causes for the depression to be found in the state of the Continent. The high price of food makes a great difference with regard to the demand from the Continent. But I am informed there are large orders from America in the manufacturing districts, with which we may be enabled in part to pay for the food which we have required from that country. These are all circumstances favourable to the future commercial state of the country. That there have been great difficulties—that there are difficulties still—is what I am obliged to confess. There are difficulties both from the circumstances detailed by my right hon. Friend and the right hon. Gentleman opposite; and there are difficulties from this general cause, that there has been a general drain for food, and no one is in possession of the exact amount of food which may be necessary to supply the present deficiency. There is information upon this subject; but, though I have considerable reliance upon that information, I do not think it is such as would justify me in stating to the House that I have any knowledge on the subject. Such, then, being the state of things, hon. Gentlemen have taken this occasion to repeat denunciations they have made in former days against the present state of the currency, and against any payments in specie. I have heard, both in private and in this House, many statements and many speeches, all pointing out the evils of the present state of things, and all speaking vaguely as to the remedy: but I think a very few observations will show the House that I am not wrong in the observation I have just made. It has been said that the Act of 1844 was a necessary complement to the Act of 1819, and indeed that it was an improvement upon that Act. Well, then, I will take the statement that the Act of 1844 was a necessary complement to the Act of 1819. For my own part, I think the Act of 1844 is an improvement upon the Act of 1819, because, whereas by the latter Act the pressure would not have come till very late—till we were in a state of very considerable danger—till we might have had only about 2,000,000*l.* or 3,000,000*l.* of bullion in the Bank; the consequence of the Act of 1844 is to bring on the pressure a good deal earlier, when we are in a state of much greater safety, and when we have, therefore, much more time and means for preparation. But if the Act of 1844 is a necessary complement to the Act of 1819, what is the Act of 1819 itself? What is it but an Act for the resumption of cash payments? What is it but an Act making the currency convertible into gold? I cannot understand what medium the hon. Member for Birmingham or his hon. Colleague, or any of those Gentlemen who agree with them, would find between payment in specie—a currency based upon bullion, and an unlimited and unconvertible paper currency. Those hon. Gentlemen find great fault with the Act of 1844; they find great fault with the Act of 1819; and the resource upon which they would land—the measure to which they would have recourse—would be a Bank Restriction Act—a restriction of payments in specie, and the establishment of a paper currency unlimited in amount. [Mr. MUNTZ: No!] Perhaps the hon. Gentleman will take some other occasion of explaining what that measure is which is to make us so peculiarly safe, and upon what the currency is founded which he would propose to establish; but, for my part, I can see no other alternative than payment in specie, that payment in specie being guarded by certain provisions; whether by the provisions of the Act of 1819, or of the Act of 1844, is not now material, but guarded by some provisions of a similar nature to those contained in those two Acts. That, in fact, as far as I have understood all along, is the controversy between those who would have our currency based upon bullion, and those who are in favour of a paper currency not based upon bullion. With regard to the minor question—whether the Act of 1819 is sufficient in effect?—that is not now the question, because the hon. Gentleman himself allows that the present Act is a necessary complement to it. Upon that question, then, I will only say, that I believe our present measures with regard to the currency are founded upon sound principles. I believe that the measure now in operation has had the useful effect of inducing the Bank to begin earlier than they would have done under the Act of 1819 in taking measures of precaution, and that the adoption of those measures of precaution at present will save us from much

pressure and much distress in future. I do not believe that any measure proposed on the part of the Government, or adopted by this House, would be so safe as allowing the Act of 1844 to have its legitimate operation. This is the first occasion on which it has been brought into actual operation, for, the amount of reserve fund in the Bank having greatly diminished, so that there was some danger of that reserve fund being entirely exhausted, it has led to measures of precaution. I believe those measures of precaution were necessary. I think the Directors of the Bank will in future have the means of watching the operation of this measure, and of either adopting such stringency, or giving such relaxation, as they may deem useful or necessary. Although a currency founded upon bullion is a currency which may be accompanied by inconvenience in times of commercial pressure, I do consider that it is the safest and best currency this country can adopt; and I believe there is no measure we can take that will be so safe or so wise as to declare that we will not alleviate the pressure at the present moment, with a certain prospect of making it more severe hereafter.

Mr. HUME, amidst marks of impatience, said, he differed from the opinions which were expressed by the noble Lord at the head of the Government, and the right hon. Baronet the Member for Tamworth, both of whom appeared to him to blame the Bank directors as being the cause of the present state of things. When the right hon. Baronet the Member for Tamworth introduced the Bill of 1844, he said he thought that 14,000,000 of bullion would be sufficient for the currency of the country; but he did not think so, and he stated his opinion at the time. He did not see how the Bank directors could be blamed for the present state of things, for if they had only done what they were empowered to do by the Act of 1844, he ought not to blame them; and it appeared from the public accounts of issues and securities that they were not deserving of that blame. The hon. Gentleman read, in the midst of the expressed impatience of the House, a series of figures tending to show that the Bank of England had not issued more notes than it was authorized; and contended that it was, consequently, not to blame for the monetary crisis which had occurred.

Lord G. BENTINCK: Sir, I am sure no one can complain of the right hon. Gentleman the Member for Tamworth for the course which he has taken on this occasion. It is perfectly consistent with that which he took three months ago, when I introduced a measure of a somewhat similar character to the notice of this House. The right hon. Gentleman has not exaggerated the difficulties in the state of the money market now, as compared with that which existed when I had the honour to introduce a scheme of this description. The right hon. Gentleman might have added that, in the interim between the period when this House rejected that measure, and the present, Austria has raised a loan of 80,000,000 of florins for the purpose of constructing railways in her empire; and this, of course, must be to a certain extent a drain upon our money market. But, Sir, it is because I look upon the call for money to be employed in productive works in this country as having a very different bearing on the finances of the country, and a very different bearing on the money market, from that which is sent out of the country to purchase the produce of other countries, that I think we may, without imprudence, advance 620,000*l.*, and that we may do so without its being felt as any additional pressure on the money market. It must be clear to any reflecting man, that every sovereign that goes out of this country must operate in a pressure of at least ten-fold, if not twenty-fold, degree, more than the sovereign which is borrowed to be expended in this country. I believe it is commonly reckoned that *5l.* bank-notes, upon an average, are turned over thirteen times at least in the course of a year; and if this be so, a sovereign, at all events, must be turned over much oftener than that. The sovereign we send out of the country to purchase corn or sugar, or any other commodity, the produce of foreign countries, cannot return, and does not, in fact, return for twelve months, at the least, and during that time visits no English pocket. Let any one follow in his own mind the course of a sovereign which is sent to America—when shall we get that sovereign back? Certainly not for a year at least. Well, Sir, if I am right in these views—and I believe they are those generally entertained by reflecting men—I am justified in saying that a loan of 620,000*l.*, to be employed in Ireland, would create no greater pressure on the money market—would diminish the circulation of money at home no more

than a thirteenth part of that sum, were it sent abroad to purchase the produce of foreign countries. But, inasmuch as the right hon. Gentleman the Chancellor of the Exchequer is justified in the course he is taking, so was I justified in the course which I proposed to take. The principle is the same; and myself and my Friends who sit near me accordingly propose to support the proposal of Her Majesty's Ministers. And though we may think the Government have taken but the fag-end of the greater measure which I had the honour of bringing forward, still the principle is the same; and I agree with the right hon. Gentleman (Sir R. Peel) and the Member for the University of Cambridge (Mr. Goulburn) that all other railways in Ireland, after this concession, ought to be placed on the same footing, and that they are entitled to ask for, and to receive, a loan from the Government. We have got the sharp end of the wedge in, and we shall do our best hereafter to drive it home as best we may. This is, after all, sound and just policy—it is for the permanent advantage of Ireland—it is, in fact, the only measure which has been proposed this Session which is calculated permanently to improve the condition of that country; and therefore, Sir, it has my cordial support. I am not swayed by the information communicated by the Chancellor of the Exchequer, that he has abandoned his Waste Lands Bill, although I am inclined to think with the right hon. Gentleman the Member for the University of Cambridge, that this is but an after-thought, resolved upon in the course of this evening; for if it be otherwise, then we have been rather cavalierly treated, and there has been a great want of frankness among the different Members of Her Majesty's Cabinet. None of us can help seeing what is published in those daily publications which we all read; and I noticed in the papers of this morning that the noble President of the Council (the Marquess of Lansdowne) very much induced the other House of Parliament to assent to the seconding reading of the Irish Poor Law Bill without a division, by the declaration last night only that Her Majesty's Ministers had other measures which would assist in working out that Bill; and amongst them (so it is ascribed to the noble Marquess) was one for the reclamation of waste lands. Well, Sir, at all events, my Friends must be now considered as fully justified in the course which we took; for surely there is some difference in a scheme by which 8,000,000*l.* is advanced by this country for relief works, only 4,000,000*l.* of which is asked to be paid back—if ever that is paid—and a plan by which the whole loan is to be repaid, with interest; for let it be remembered, the Chancellor of the Exchequer argues in favour of this measure—that the money he asks for will be certainly paid back, whilst only one half, he tells you, of the money advanced on relief works is sought to be reclaimed, and the other half only doubtfully promised. Why, Sir, that was just my argument three months ago. I said the 4,000,000*l.* I asked for were not to be added, but to be deducted from that 8,000,000*l.* which the Government are expending upon useless works. I said the difference between the loan which I ask for, and that which the Government were granting to Ireland was, that whereas the one would in effect cost England nothing, and would permanently advance the welfare of both countries, the Government loan was to be distributed in a manner that would confer no lasting service on Ireland, and was only to be partly repaid. But I must say, if we are to compare the two measures, the present does inflict a great hardship upon the counties of Mayo, of Sligo, and Galway; and as I see the hon. and learned Gentleman the Solicitor General for Ireland in his place—the Member for Galway—I wish to ask him what must be the feelings of the county of Galway upon this subject? Complaining of the hardship, he might well say to the noble Lord—

> "Nor would I have it long observed,
> That one mouse eats while t'other's starved."

This is the case with the county Galway. It would have been very different under my proposition. I wonder where the hon. Member for Mayo is (Mr. D. Browne), who rejected my measure because he feared that, if he did not, he would lose the Waste Lands Bill. I wonder where he is now, and what his feelings will be when he finds that he, the Member for Mayo, as well as the Member for Galway, and the Member for Roscommon, too, in thus grasping at the shadow of a Waste Lands Improvement Bill, they have lost the substance which three months ago we offered them, of a railway through the counties of Galway, Mayo, Roscommon, and Sligo. There is another reason why I regret that now, instead of three months

ago, this measure should have been adopted by Her Majesty's Ministers, and that is, because during that time we have been spending at the rate of a million a month upon useless works, the half of which will never be paid to the people of this country. I won't detain the House longer; but I feel bound to notice the observations of my right hon. Friend, who has thrown blame upon the Bank of England for its conduct during the present crisis, and has ascribed to that establishment the greater part of the present monetary crisis. It is said "corporations have no souls." I do not know whether they have souls or not; but, if corporations have no souls, I am sure Cabinets have no hearts; for never was such ingratitude as that the Bank of England should now be condemned by the Ministers of the Crown for conduct, mainly to be attributed to the difficulties under which she was placed through her desire to accommodate the Chancellor of the Exchequer. Let me ask, if the Bank of England had put the screw on sooner—if she had put the screw on before Christmas or January last, at a time when she had 13,000,000*l.* of bullion in her cellars, and 7,000,000*l.* more of reserve—what would then have been the price of his Exchequer-bills; or, more than that, what would have been the price at which he would have raised his loan of eight millions? But the Bank, by postponing the evil hour of putting the screw on the money market, also postponed the hour of distress to the trade of this country; and after my right hon. Friend has thus seduced the old lady in Threadneedle-street, and had his wicked will of her, it is a little too bad immediately to turn round upon her, kick her out of bed, and turn her out of doors:—

> "In common justice, Sir, there's no man
> That makes the whore, but keeps the woman."

I must say a few words as to the Bank charter, and as to its pressure upon the trade of this country. We have heard much with regard to its operation; and the right hon. Baronet the Member for Tamworth has given us his opinion that it will save us from seeing such scenes of pain and suffering as were witnessed in 1819. Why, those scenes of pain and suffering did not occur from the over-issues of the Bank, but from their contraction; in short, from that change in the currency by which—unawares, I believe, to those who passed the measure—25 per cent was added to the debts and taxes of the country. How did we then get over our difficulties? Why, by a fresh issue of notes. And as to 1825, I well remember—and I think the right hon. Gentleman (Sir R. Peel) was one of them—that the Cabinet Council of Lord Liverpool's Adminstration sat in Fife House till twelve o'clock at night, while the directors of the Bank of England were at the same time sitting in their bank parlour, debating what was to be done—it was the crisis when Mr. Huskisson said the country was within twenty-four hours of barter. And how did you get out of your difficulties then? Was it by contracting the issues of the Bank of England? Far from it. There were not at that time two millions of sovereigns in the Bank; yet confidence was restored, and trade revived, by the issue of little short of eight millions of notes, one million at least of these being one-pound notes. Therefore, to say that there is no security for trade except in the Bank Charter Bill, is, I think, a great fallacy; and such a statement is the more extraordinary, because the right hon. Gentleman having been obliged lately to come and ask the Bank of England to lend him the sum of three millions, that he might meet the dividends, the Bank of England, in consequence of this law, was placed in this predicament, that if she had not succeeded at eight and forty hours notice in borrowing two millions sterling, the dividends would not have been paid. That is my reason for doubting the efficacy of this Bank Charter Bill, and for disputing that it can be any more right that the Bank of England should be tied down beforehand to a particular amount of issues under such various circumstances, than it would be right to pass a law obliging ships at all times, and in all weathers, to carry either studding-sails or tri-sails. It seems to me that by this law, we are placed in this extraordinary position, that though trade is in danger of being destroyed for want of the assistance of the Bank, whilst the Bank is most anxious and willing to give trade that assistance, she is shackled by the operation of this inconvenient law. It is just as though when one strong man were standing on the bank of a river, in which another was drowning, the law were to step in and bind the willing and ready arms of him on the bank to make it impossible to save the other who was drowning. I will conclude by saying, that I altogether deny the efficacy and object of the policy of this system.

The Committee divided: — Ayes 208; Noes 75: Majority 133.

List of the AYES.

Acland, Sir T. D.
Acland, T. D.
Adderley, C. B.
Aldam, W.
Anson, hon. Col.
Archdall, Capt. M.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bailey, J.
Bailey, J. jun.
Baillie, W.
Baine, W.
Baldwin, B.
Bankes, G.
Baring, rt. hon. F. T.
Baring, T.
Barron, Sir H. W.
Bateson, T.
Bell, J.
Bellew, R. M.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. C.
Berkeley, hon. Capt.
Blackburne, J. I.
Blackstone, W. S.
Bodkin, J. J.
Borthwick, P.
Bowring, Dr.
Broadwood, H.
Brooke, Lord
Brotherton, J.
Browne, R. D.
Browne, hon. W.
Bulkeley, Sir R. B. W.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Bunbury, W. M.
Callaghan, D.
Cavendish, hn. C. C.
Cayley, E. S.
Chaplin, W. J.
Chapman, B.
Cholmeley, Sir M.
Christopher, R. A.
Clay, Sir W.
Clayton, R. R.
Colebrooke, Sir T. E.
Collett, W. R.
Conyngham, Lord A.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Dalrymple, Capt.
Dawson, hon. T. V.
Denison, W. J.
Denison, J. E.
Disraeli, B.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
East, Sir J. B.
Ebrington, Visct.
Evans, W.
Ferguson, Sir R. A.
Ferrand, W. B.
Finch, G.
Fitzwilliam, hon. G. W.
Floyer, J.
Fox, C. R.
Fox, S. L.
French, F.
Frewen, C. A.
Gibson, rt. hon. T. M.
Gladstone, Capt.
Gore, M.
Gore, hon. R.
Granby, Marq. of
Granger, T. C.
Grey, rt. hon. Sir G.
Grogan, E.
Halford, Sir H.
Halsey, T. P.
Hamilton, Lord C.
Harcourt, G. G.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Heathcote, G. J.
Henley, J. W.
Heron, Sir R.
Hildyard, T. B. T.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hollond, R.
Hope, A.
Hoskins, K.
Houldsworth, T.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, P. H.
Hudson, G.
Ingestre, Visct.
Inglis, Sir R. H.
James, W.
Jervis, Sir J.
Jocelyn, Visct.
Jolliffe, Sir W. G. H.
Jones, Capt.
Knight, F. W.
Labouchere, rt. hn. H.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lawless, hon. C.
Lawson, A.
Layard, Maj.
Le Marchant, Sir D.
Lemon, Sir C.
Lennox, Lord G. H. G.
Liddell, hon. H. T.
Loch, J.
Lowther, hon. Col.
Macaulay, rt. hon. T. B.
Macnamara, Maj.
M'Carthy, A.
M'Taggart, Sir J.
Maitland, T.
Mangles, R. D.
Manners, Lord J.
March, Earl of
Marjoribanks, S.
Maule, rt. hon. F.
Miles, P. W. S.
Miles, W.
Monahan, J. H.
Morgan, O.
Morpeth, Visct.
Muntz, G. F.
Newdegate, C. N.
Newport, Visct.
Newry, Visct.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
O'Brien, T.
O'Connell, M. J.
O'Conor Don
O'Ferrall, R. M.
Ord, W.
Owen, Sir J.
Palmerston, Visct.
Parker, J.
Perfect, R.
Philips, G. R.
Phillpotts, J.
Pinney, W.
Plumridge, Capt.
Powlett, Lord W.
Price, Sir R.
Prime, R.
Protheroe, E. D.
Rashleigh, W.
Rawdon, Col.
Reid, Col.
Repton, G. W. J.
Rice, E. R.
Rich, H.
Rumbold, C. E.
Russell, Lord J.
Rutherfurd, A.
Scott, hon. F.
Scrope, G. P.
Seymer, H. K.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Smith, J. A.
Somers, J. P.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Stewart, J.
Stuart, Lord J.
Stuart, J.
Strutt, rt. hon. E.
Tancred, H. W.
Thompson, Ald.
Thornely, T.
Tollemache, hon. F. J.
Towneley, J.
Trollope, Sir J.
Turner, E.
Tyrell, Sir J. T.
Vane, Lord H.
Villiers, hon. C.
Waddington, H. S.
Walker, R.
Walsh, Sir J. B.
Ward, H. G.
Watson, W. H.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wrightson, W. B.
Wyse, T.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the NOES.

Ainsworth, P.
Antrobus, E.
Arkwright, G.
Barkly, H.
Bouverie, hon. E. P.
Bramston, T. W.
Brownrigg, J. S.
Cardwell, E.
Carew, W. H. P.
Cavendish, hon. G. H.
Chelsea, Visct.
Chute, W. L. W.
Clerk, rt. hn. Sir G.
Clive, Visct.
Collins, W.
Colville, C. R.
Cripps, W.
Currie, R.
Deedes, W.
Dennistoun, J.
Dickinson, F. H.
Dodd, G.
Drummond, H. H.
Duckworth, Sir J. T. B.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncombe, hon. O.
Egerton, Sir P.
Emlyn, Visct.
Entwisle, W.
Escott, B.
Fitzroy, Lord C.
Flower, Sir J.
Gardner, J. D.
Gill, T.
Gisborne, T.
Glynne, Sir S. R.
Graham, rt. hon. Sir J.
Hall, Sir B.
Hamilton, W. J.
Hanmer, Sir J.
Hastie, A.
Hope, Sir J.
Hope, G. W.
James, Sir W. C.
Johnstone, H.
Leader, J. T.
Lincoln, Earl of
Lindsay, Col.
Lockhart, A. E.
Lygon, hon. Gen.
Mackenzie, T.
Marsland, H.
Martin, C. W.
Masterman, J.
Moffatt, G.
Morris, D.
Mure, Colonel
Nicholl, right hon. J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Phillips, M.
Sibthorp, Col.

Spooner, R.	Williams, W.
Sutton, hon. H. M.	Wood, Col. T.
Tollemache, J.	Yorke, H. R.
Trelawny, J. S.	TELLERS.
Trotter, J.	Roebuck, J. A.
Wakley, T.	Hume, J.

Resolution agreed to; as was also the Resolution—

"That the Commissioners of Her Majesty's Treasury be authorized to direct Advances to be made, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to an amount not exceeding forty thousand pounds, to be applied to the purposes of an Act of the last Session of Parliament, for encouraging the Sea Fisheries of Ireland, by promoting the construction of Piers, Harbours, and other Works."

House resumed, and adjourned at Two o'clock.

HOUSE OF LORDS,

Monday, May 3, 1847.

MINUTES.] PUBLIC BILLS. 1ª Naval Prisons.
3ª and passed:—Incumbered Estates (Ireland).

PETITIONS PRESENTED. From Dissenters of Roxton, and Roseland, against the Proposed Government Plan of Education.—From Ipswich, for the Enactment of Sanitary Regulations.—From the Norfolk and Norwich Auxiliary Anti-Slavery Association, against the present Method of Hiring Labourers for the Colonies, as tending to perpetuate a Modified System of Slavery.—From Limerick, and Kilkenny, against any Clause being Inserted in the Poor Relief (Ireland) Bill which would throw the Responsibility of Supporting the Poor on the Occupying Tenant.—From the Presbytery of Elgin, that the present objectionable System of Granting Licenses may be Amended, and the Rapid Progress of Intemperance in some measure arrested.

LAW OF LANDLORD AND TENANT IN IRELAND.

The MARQUESS of WESTMEATH moved the following resolution:—

"That the existing Laws of Landlord and Tenant in Ireland are not calculated to regulate equitably the Duties, reciprocal Obligations, and Interests of the Parties in those Relations in that Country, and, under actual Circumstances, require immediate Revision and Amendment; and that the Imposition of increased Burthens and new Responsibilities on Land render such Revision and Amendment urgent and indispensable."

He believed it was usual for a noble Lord who brought forward a resolution of this nature to accompany it with a Bill, for the purpose of carrying out his views; but he had not done so, for if he proved, as he had no doubt he should be able to do, that the existing relations between landlord and tenant in Ireland were in a most unsatisfactory state, then the subject, in his opinion, was one which could only be adequately dealt with by the Government. He had now had forty years' experience of the condition of Ireland, and before a Committee in 1824, and again in 1844, and before Lord Devon's Commission, he had expressed his opinion, that the mode of occupation of the soil in Ireland must be altered by law. On the latter occasion, he stated that if some great alteration were not made, the most disastrous consequences would fall on Ireland; and in a short time the State would have to support a great majority of the people of that country. Had not that opinion been verified? Was he not entitled to be heard with some attention on this subject? He was surprised that the noble and learned Lord on the woolsack had objected to his Bill for the prevention of waste in Ireland. It was a measure imperatively called for by the state of that country, as tenants there were in the constant habit of so cultivating the soil as to completely exhaust it. On this point he was confirmed by Mr. Campbell Foster, the "*Times*' Commissioner," in his able and impartial letters on the condition of Ireland. As regarded the interests both of landlords and tenants, he thought it would be found, if they were properly understood, that the interest of the tenant was also affected by the operation of the law. Let it not for one moment be supposed that he wished any measure should pass Parliament, which should not, if they pleased it, in the first instance, provide for the interest of the tenants; they were the most numerous, and, if they pleased, they might place them first; but he should certainly be unwilling to admit some principles of improvement which might be stated as due by the landlord to the tenant—for one thing, he would not consider the making of a hole in the roof of a cabin, to let the smoke out of it, would be an improvement. He thought no one would say that the owners of landed property in Ireland were not entitled to the same consideration as the owners of landed property in this country; that is, if a man let his land, the law ought to provide that he should receive his rent, or be entitled to get back his land; for their Lordships well knew that the land was in many cases liable to heavy engagements, which could not be answered unless the engagements entered into by the lord of the soil were fulfilled by him; and if they were not fulfilled, the Court of Chancery was ready at hand to oust him of possession of his property, and that on very short notice. He conceived that means should be provided by which the clauses in leases should be observed; and in cases where lands were

held by tenants at will, if the necessary obligations were not performed by the parties who held them, the land should be surrendered to the owner. He would call their Lordships' attention to the evidence of Mr. Leahy before his noble Friend's (the Earl of Devon's) Commission, with reference to proceedings by ejectment in Ireland, from which it appeared that from the period at which a landlord was entitled to get possession, two years and ten months might, in some cases, elapse before he could, by means of ejectment proceedings, obtain possession of the land; and he (the Marquess of Westmeath) asked, was that consistent with the usages of a civilized country? The law of ejectment in Ireland ought to be put upon the same footing as in England. If a man in Ireland wished to get rid of a yearly tenant by the civil-bill process, he must give a description of every lodger and every inhabitant of a cabin, and every part of the premises must be set forth. How could any one get this information except by inspiration? Then the notice must be served upon some one in the house, but most frequently there was no one there; and if the commencement of the tenancy was uncertain, it was necessary the notice to quit should run twelve months. The difficulty of proving a holding was so great that it was often necessary to enforce a distress merely for the purpose of attempting that proof. The Civil Bill Ejectment Act was intended to give a remedy in cases of small tenancy; but it was liable to the same chicanery and delay as the proceedings in the superior courts. Even a pauper, who had nothing beyond the clothes on his back, might put forward a defence to the landlord's claim, although he had nothing whatever to do with the tenancy. Suppose a tenant entered upon a farm in May, and that the landlord diecovered on the 2nd of November that he had been burning his land, or otherwise injuring it, he could not recover possession for at least twenty-one months afterwards, because he had not served notice to the tenant by the 1st of November; and very often the matter was still further prolonged by a vexatious defence being set up, as the law permitted a pauper—a man who had not a sixpence—to be put forward as the defendant. He related an instance which was told to him by the late Lord Guillamore, of a poor man who had sub-let a piece of land to a widow, and afterwards, finding that she did not fulfil the conditions she had undertaken, he gave her notice to quit; but through some informal technicality, he lost his case. In an evil hour he joined a party of Whiteboys, who went to the old woman's cottage, and swore her to quit the land. He was afterwards identified; and as the crime of Whiteboyism was at that time very prevalent in that district, he was executed; so that in this case—to use Lord Guillamore's expression—the tenant hanged her landlord. The noble Marquess said, he was at a loss to understand why, in the case of a yearly tenant, there should be any necessity for a notice to quit at all, if the rent was not paid or the other conditions were not fulfilled. Surely the very fact of the failure to perform the obligation ought to annul the contract. In the Local Courts Bill of England, these formalities were dispensed with; and he was at a loss to understand why this Act was not extended to Ireland—why the Irish should be the only persons that, besides suffering from the inflictions of Providence, should also be called upon to endure the inconveniences of this state of the law? In the case of a distraint for rent, the distrainer was obliged to employ persons to watch the premises night and day for a fortnight, otherwise he could not be sure of having any property to distrain. The noble Marquess then related the history of a contest which was carried on between the Commissioners for some Crown property in Ireland, and fifty-two tenants located upon it, which continued for nine years altogether; and at the end of that time the Crown was obliged to rest satisfied with the terms which the tenants had offered in the first instance, and to leave them unmolested. For he wished to impress upon their Lordships, that whoever had to deal with the Irish must understand this, that if they treated the people justly, they would be respected; if they were kind to them, they would win their attachment; but if they allowed themselves to be cajoled, they would be sure to be despised. The noble Marquess then adverted to the articles which had been written on several occasions upon Irish landlords in the *Times* newspaper, stating that that journal was most pertinacious and constant, though able, in its opposition to that class. He also read an extract from Lord John Russell's speech on the 19th of March last, referring to the necessity of steps being taken for the adoption of a higher and more scientific system of agriculture in Ireland, in order to meet the changes that were in progress

in the social condition of the people of that country, and asked how it was possible the land could be improved by the landlords, unless they were allowed greater facilities than they now enjoyed for getting it under their own management? He brought forward his resolution after a great deal of experience as an Irish landlord; and his object in doing so was, if possible, to bring about an improvement in the law, as he thought that the law ought to be made for the benefit of mankind, instead of mankind appearing to exist only for the benefit of the law. He would implore Her Majesty's Government to take the subject into their serious consideration; and for his part he would give them all the assistance in his power in bringing about a better state of things. If they did so, he could assure them that the Irish landlords would be found anxious to carry out the other measures that were now proposed for Ireland; and to meet the wishes of the people of this country, by the manner in which they would discharge the duties which devolved on them as owners of property. The noble Marquess concluded by moving the adoption of his resolution.

The MARQUESS of LANSDOWNE said, he would offer but a very few words in reply to the noble Marquess, as he did not think he was called upon to follow the noble Marquess through the great variety of subjects to which he had alluded in connexion with the state of the law of landlord and tenant; seeing that he had no means of knowing under what circumstances the cases had arisen. The objection which he had to the Motion was, that it was an abstract Motion, pronouncing a sentence of general censure on the law as it now existed between landlord and tenant in Ireland, without distinctly stating what remedies should be substituted. The question would be incidentally raised on many measures which would come before their Lordships from the other House of Parliament; and he had only to observe, that in considering the question of the rights of the landlords, they should not overlook the rights of the tenants. A Bill on the subject of the relations between landlord and tenant in Ireland had been introduced in the other House of Parliament; and should it come before their Lordships, they would have ample opportunity of considering the whole state of the law on the subject. As to the case to which allusion had been made, of land held by the Crown in Ireland, it should not be regarded as a general instance of the state of the country. A most unfounded delusion got into the minds of the tenantry, that the Crown had no right to the rents; but in that very same part of the country there were three or four other Crown properties administered without the least difficulty, and in which the rents were most punctually paid. He believed that in Ireland generally, it was not much more difficult to collect rents than in this country; at least, in parts of Ireland he was sure it was not more difficult. He would not deny but that there might be good grounds for entering into a view of the relations between landlord and tenant in Ireland, with a view to enact better remedies for the protection of the rights both of landlord and tenant; but he could not think their Lordships would act wisely in laying it down as a principle that the present state of the law was defective, while they were not prepared to substitute other measures. He might remind their Lordships that when a Bill on this subject was before their Lordships' House three years ago, very great difficulty was found in dealing with it in the Select Committee to which it had been referred. He could only say, that any Bill on the subject would meet with the greatest attention both from him and from his noble and learned Friends in that House, and who were so much better qualified than he was to consider the question. In conclusion, he expressed a hope that the noble Marquess would not press his Motion; and he should, therefore, beg to move that the other Orders of the Day be read.

The MARQUESS of WESTMEATH said, after the observations which had fallen from the noble Marquess, and the assurance that the question would be taken into consideration by the Government, he should not press his Motion.

Motion withdrawn.

House adjourned.

HOUSE OF COMMONS,

Monday, May 3, 1847.

MINUTES.] PUBLIC BILLS. 1ª Seamen's Enlistment; Poor Laws Administration; Railways (Ireland, No. 2); Fishery Piers and Harbours (Ireland).

Reported.—Towns Improvement Clauses.

3º and passed:—Factories.

PETITIONS PRESENTED. By Mr. Shaw, from a great many places, for Alteration of the Church Temporalities (Ireland) Act.—From Grocers' Assistants of Dublin, for the Better Observance of the Lord's Day.—By Lord George Bentinck, from Lynn, and Mr. J. Vivian, from Swansea, for Alteration of the Law of Marriage.—By Mr. Bouverie, from Port Glasgow, against the Marriage (Scotland) Bill.—By Sir H. Fleetwood, from Claughton, in favour of

the Roman Catholic Relief Bill.—By Mr. Bouverie, from North Berwick, for Alteration of the Law respecting Sites for Churches (Scotland).—By Sir H. Fleetwood, from Preston, against the Use of Grain in Breweries and Distilleries.—By Mr. Entwisle, from Liverpool, in favour of the Poor and Highway Rates Exemption Bill.—By Mr. Deedes, from the Isle of Sheppy, in favour of the Agricultural Tenant-Right Bill.—By Lord G. Bentinck, from Leeds, for Repeal of the Anatomy Act.—From a great many places, for Regulating the Qualification of Chemists and Druggists.—By Sir J. Hanmer, from Solicitors of Her Majesty's High Court of Chancery, for Inquiry.—By several hon. Members, from a great many places, for and against the proposed Plan of Education.—By Mr. Hume, from North Berwick, for Alteration of the Law of Entails (Scotland).—By Mr. Disraeli, from a great many places, for the Ten Hours Factories Bill.—By the Chancellor of the Exchequer, from Halifax, against the Factories Bill; and from several places, in favour of the Health of Towns Bill.—By Sir H. Fleetwood, from Preston, for Alteration of the Health of Towns Bill.—By Mr. S. Crawford, from the County of Donegal, against the Introduction of a certain Clause into the Poor Relief (Ireland) Bill.—By Mr. Shaw, from Clergy of the Diocese of Elphin.—By Colonel Pennant, from Llanllechid, for Repeal or Alteration of the Poor Removal Act.—By Mr. Ord, from Newcastle-upon-Tyne, for the Suppression of Promiscuous Intercourse.—By Mr. Escott, from Langport, for the Appointment of a Public Prosecutor.—By Mr. Callaghan and other hon. Members, from several places, against alloing Railway Companies to own Steam Vessels.—By Mr. Bouverie, from Port Glasgow, against, and by Mr. Rutherfurd, from the Royal College of Surgeons of Edinburgh, in favour of, the Registering Births, &c. (Scotland) Bill.—By Sir G. Clerk and other hon. Members, from several places, against, and by Mr. Rutherfurd, from North Berwick, in favour of, the Registering Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Mr. S. Crawford, from the Country of Donegal, in favour of the Tenants (Ireland) Bill.

PORTUGAL.

MR. BORTHWICK said, that he was anxious to put two questions to the noble Lord at the head of the Foreign Office, of which he had given him notice some days ago. The first question related to a rumour which had been sanctioned by the authority of the *Journal des Débats*, the organ of the French Government. The rumour was to the effect that the Governments of France, England, and Spain had determined to interfere in the affairs of Portugal, and that they based their right of interference on a treaty which, as many of its provisions were not acted upon, must be considered defunct—the Treaty of the Quadruple Alliance. That statement had appeared in the *Journal des Débats* of the 26th of last month, which contained quotations from the Spanish papers in support of its authenticity. He had looked into some of the Spanish papers, and had not found any statements to that effect, but he had not been able to look into all of them. The *Journal des Débats*, however, of Friday last, had considerably modified its former report. Now, it was right that the noble Lord should set the public mind at rest upon so important a matter. The second question was this—what was the nature and what the extent of interference in the affairs of Portugal which Her Majesty's Envoy of the Court of Lisbon had been instructed to adopt under the recent circumstances of that country?

VISCOUNT PALMERSTON: In answer to the first question put to me by the hon. Gentleman, I have to state, that in the opinion of Her Majesty's Government the present state of things in Portugal is not a state of things to which the Treaty of the Quadruple Alliance is applicable, for that treaty exclusively refers to a dispute as to the succession to the Throne, and there is now no question of disputed succession in Portugal. As to the second question, I am persuaded that the House will feel that it is not possible for me to answer the question of the hon. Gentlemen in the shape in which he has put it. All I can say is, that it is the anxious desire of Her Majesty's Government to bring about a pacification — an accommodation between the contending parties, and that no effort on our part shall be wanting to heal the differences existing in that country.

THE NAVY.

VISCOUNT INGESTRE wished to put a question to the Secretary to the Admiralty relative to the latest programme of works of the ships to be proceeded with at the different dockyards. He understood that all ships to be built in future were to have their lines previously approved of by the "Committee of Reference." He had heard, however, that on Saturday directions arrived at Portsmouth to proceed with the *Royal Frederick*, the *Prince of Wales*, the *Sovereign*, and several other ships, and that the building of certain steamers on Mr. Fincham's lines was stopped, whilst steamers on the Surveyor's lines were to be proceeded with.

MR. WARD said, that he had not the slightest objection to produce the programme.

FACTORIES BILL.

MR. FIELDEN moved the Third Reading of the Factories Bill.

MR. TRELAWNY rose to move, that the Bill be read a third time that day six months, and in doing so, said that it would no doubt be agreeable to the House to hear that it was not his intention to make two speeches on his present Motion, and on the clause of which he had given notice, to

limit the operation of the Bill for three years. He would not now enter into the general discussion, so much as confine his observations to the benefits of that clause. The present Bill was an experiment. Every word used, every argument advanced, showed that it was only an experiment. Its advocates showed their own want of confidence in it. They had no consistent definite set of principles upon which they could support what was really a penal Act against the industry of the country. He proposed to relieve them from their difficulties by limiting the operation of the Act to three years. He had named three years, because a shorter period might be affected by peculiar and temporary seasons of unusual prosperity or depression. Three years, too, was a good period, because in that time the steed would know its rider—the people would get acquainted with the tax which they were about to impose upon them. The people themselves would be glad of the limitation to three years, for they were not at all confident of the success of the measure, and wanted a given period to ascertain its effects. The House had showed the greatest vacillation upon the measure, and having thrown the Bill out two years ago, was it decent that the present Parliament, as one of its last Acts, should now enact for a permanency? If the measure were successful—and he was not so bigoted as to suppose that it could not be successful—who would not be willing to continue it at the expiration of the allotted time? If the measure were passed as a permanent one, he—if a Member of the new Parliament—would open the question every year; and if he were not a Member of the ensuing Parliament, no doubt other Members would be found to maintain a perpetual agitation in that House on the subject. Would it not be desirable to prevent such an agitation, as no doubt they would prevent it if the Bill were only enacted for three years? Besides, so important a measure ought not to pass without the support of a united Cabinet. The present Government was divided with regard it; and this fact was quite sufficient of itself to justify the House in refusing to enact a permanent Act so deeply affecting the welfare of the manufacturing interests of the country. The hon. Gentleman concluded by moving that the Bill be read a third time that day six months.

MR. GRIMSDITCH supported the Bill. He had heard no new argument from the hon. Member who had last spoken, which was sufficient to induce him to oppose the measure, looking at it, as he did, as a measure calculated to be productive of very great advantage. It appeared to him, that the hon. Member who had just sat down knew little of the working of the factory system in the north of England; but he had resided in those districts, and he had witnessed the evils to which this Bill would be applied. If they considered the immense steam power which was capable of being applied to manufactures; and the great competition which existed amongst producers, they would see that over-production was often the result of that steam power and great competition; and the consequence of over-production was to deprive, to a certain extent, the labourers of employment. Such was the effect of over-production on the amount of labour, that the hon. Members would find, by a calculation of the work performed in the factories from 1837 to 1847, that the adult labourers in those factories had not, on an average, worked ten hours a day. The effect of the factory labour, as at present carried out, was to deteriorate the race of persons so employed, and render them weak and diminutive. He would vote for the third reading of the Bill.

MR. LABOUCHERE would trespass for a short period on the impatience which the House felt for a decision on a question which had been so fully discussed already. He was anxious not to give a silent vote on this question, when it came as it did before them for a final decision; and he would assure the House that it was no agreeable task to him to express an opinion at variance with the opinions conscientiously entertained by many of those with whom he had been in the habit of co-operating, and for whom he had an unfeigned respect, he might mention especially the noble Lord at the head of the Government, and his right hon. Friend the Secretary of State for the Home Department. He had carefully considered the subject, which was one of very great importance; and the most careful consideration had not caused him to change the opinion which he had before expressed. He looked upon this measure as a perilous experiment, which was not calculated to produce the results which those who supported it anticipated; and he feared that it would also prove a disappointment to the working classes, for whose benefit the measure had been introduced. He was afraid, that so far from introducing harmony and

good feeling into the relations of the labourers and the employers, it would be found productive of discord and controversy, and consequently would be productive of injury to the manufacturing interests. It had been proposed to try the operation of the measure for three years; but he (Mr. Labouchere) did not think it was of a nature to admit of being tried as an experiment—he thought it would, if carried into effect, work insidiously, and by the time the public mind was awakened to its results the mischief would be found to be irreparably done. If the House reflected on the manner in which the Bill would work, they would find that it was not at once the evil would affect the producer. Its first effect might be to raise the price of manufactured goods, and thus to give a certain stimulus to those employed, and cause additional capital to be employed in those branches until the void suddenly caused was filled up, which it assuredly would be, and then our manufacturers would have to contend with foreign manufacturers who had no such restrictions as to hours of labour. What was the object of the Bill? To render it impossible that our adult population in the factories should be employed more than ten hours a day. That was not on the face of the Bill, but it was quite evident that such would be the effect of the measure if carried; and he would do the justice to its supporters of saying, they did not deny that such would be the effect of the Bill. The subject had been frequently discussed during the debate, as to whether this Bill was a question of principle or degree. For his part, he could not regard it as a question of principle, for he had frequently sanctioned by his vote an interference with factory labour, when it could be done in a safe and liberal manner, and was calculated to confer benefit. The question now before them was of a different nature; there was no doubt that the manufacturers of America and Germany could employ their operatives for twelve hours a day; and the House was now to consider the effect of declaring that our manufacturing operatives were to work no more than ten hours—a rule which, if applied generally to our manufacturing industry, he thought could not fail to be prejudicial. An hon. Friend of his gave notice of a Motion some time ago, that he would move that Ireland be exempted from its operation in case the measure passed into a law. Having necessarily given a good deal of attention to the condition of the people of Ireland, he must say that he thought that there were peculiar arguments against the measure as applicable to that country. No one could look at the condition of the people of Ireland, without seeing that hours of labour pushed beyond a degree that was easily endurable, was not the worst evil that could befall a labouring population. His attention had been recently called to the condition of the handloom weavers in the province of Ulster; and this was the account which he had received from a clergyman, of the state of things in his own parish:—

"This parish is an agricultural parish, containing a population of 7,313 souls, five and a half miles long by about three broad, a great part of the land of which is of a boggy nature. Its population has been hitherto supported by weaving, carried on in their own houses. The weaver, at present, can only raise, by weaving a web of sixty yards, from 2*s*. 6*d*. to 4*s*. 6*d*., which employs him nearly a whole week in preparation, while, at present prices, such wages will not support the mere weaver without a family. Even with these wages, I can state it as a fact, having come under my own immediate observation, that weavers are sitting up three nights per week, in order, by any means, to provide food for their families. There is scarcely a family in the parish, in which there is not some one or more members of the family sitting up nightly. I have seen them, in returning to my own home, after visiting the sick, at two A.M., working as busily as in the day time."

Would hon. Gentlemen deny that it would be the greatest blessing to this part of the country, if a factory mill were established there, which would employ the poor people, even if they were obliged to work twelve hours a day? Parliament could regulate the hours of labour in factories; but if by its legislation it drove the poor people to work in places where its interference would not reach, and where the hours of labour could not be regulated, they would surely do no act of humanity by interfering. Any Gentlemen who had looked into the factory reports, would see that children who had been shut out of the factories, were sent to fustian-cutting or pinmaking, and other employments much more laborious than working in a factory; and there was great danger, lest by further interference Parliament might increase the evil which it had already occasioned. The question came to this: did hon. Gentlemen mean to enlarge the sphere of interference? He had never received a clear answer to that question. There was one other point on which he wished to say a few words, and that was the question of eleven hours as against ten. He was decidedly opposed to further interference,

whether by restricting the time of working to eleven hours or ten; but he could not say that he was equally opposed to the two propositions. He happened to be absent from the House at the time when the question was put, or he certainly should have voted for eleven hours, instead of ten hours. He knew that some Gentlemen voted for ten hours instead of eleven hours, under the impression that the experiment would sooner fail; but he confessed he thought the course savoured more of passion than of reason. If the experiment must be made, as from the votes to which the House had come, he feared it must, he should wish it to be made in the mildest manner.

Mr. STANSFIELD being largely engaged in the woollen manufacture, was in a condition to state what the probable effects of the measure would be. The number of persons engaged in factories was 650,000, and the wages which they earned amounted to 12,000,000*l.* annually; and if the House determined that the factory people should only work ten hours instead of twelve, 2,000,000*l.* would be abstracted every year from the pockets of the factory labourers. He particularly wished to impress on the House the dangerous character of the measure as affecting the small manufacturer. The only way in which the manufacturers could make up for the loss of manual labour, was by introducing improvements in machinery; and the small capitalist and manufacturer would not be able to afford such improvements.

Mr. HUME was sorry that so much impatience was shown to decide a question of so much importance. The dinner hour was not quite come yet, and, therefore, he hoped that hon. Members would listen to a brief discussion of the question. If he considered that this measure would improve the condition of the labouring population, he should certainly vote for it; but he was satisfied that if carried out, it would injure the condition of the working classes. He would remind the country Gentlemen, that if labourers were thrown out of employment, the land must support them. Nothing was more delicate to be dealt with than money—money could move, but land could not. He should support the Amendment.

The House divided on the question, that the word "now" stand part of the Question:—Ayes 151; Noes 88: Majority 63.

List of the Ayes.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
Adderley, C. B.
Ainsworth, P.
Antrobus, E.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Ashley, hon. H.
Austen, Col.
Baillie, W.
Bankes, G.
Bateson, T.
Bennet, P.
Bernal, R.
Blackburne, J. I.
Boldero, H. G.
Brisco, M.
Broadley, H.
Broadwood, H.
Buck, L. W.
Bulkeley, Sir R. B. W.
Buller, E.
Byng, rt. hon. G. S.
Cabbell, B. B.
Christopher, R. A.
Clayton, R. R.
Clive, Visct.
Collett, J.
Colville, C. R.
Courtenay, Lord
Cowper, hon. W. F.
Crawford, W. S.
Curteis, H. B.
Davies, D. A. S.
Denison, W. J.
Denison, E. B.
D'Eyncourt, rt. hn. C. T.
Disraeli, B.
Dodd, G.
Douglas, Sir H.
Duncombe, hon. O.
Duncombe, T.
Dundas, Adm.
Du Pre, C. G.
Entwisle, W.
Evans, Sir De L.
Ewart, W.
Ferrand, W. B.
Floyer, J.
French, F.
Fuller, A. E.
Gaskell, J. M.
Gladstone, Capt.
Godson, R.
Gore, W. O.
Gore, W. R. O.
Granger, T. C.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grogan, E.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Harcourt, G. G.
Hardy, J.
Harris, hon. Capt.
Hatton, Capt. V.
Heathcote, G. J.
Henley, J. W.
Hildyard, T. B. T.
Hill, Lord E.
Hindley, C.
Hodgson, F.
Howard, hon. C. W. G.
Howard, P. H.
Hudson, G.
Humphery, Ald.
Ingestre, Visct.
Inglis, Sir R. H.
Johnson, Gen.
Kemble, H.
Kerrison, Sir E.
Lambton, H.
Law, hon. C. E.
Lawless, hon. C.
Lawson, A.
Lennox, Lord G. H. G.
Lopes, Sir R.
Lowther, hon. Col.
Mackinnon, W. A.
Macnamara, Maj.
M'Carthy, A.
Manners, Lord J.
March, Earl of
Masterman, J.
Monahan, J. H.
Morgan, O.
Morris, D.
Mostyn, hon. E. M. L.
Mundy, E. M.
Muntz, G. F.
Napier, Sir C.
Neeld, J.
Newport, Visct.
O'Brien, A. S.
O'Brien, C.
Packe, C. W.
Paget, Col.
Palmer, R.
Palmer, G.
Perfect, R.
Plumptre, J. P.
Plumridge, Capt.
Polhill, F.
Prime, R.
Pusey, P.
Rashleigh, W.
Rice, E. R.
Rich, H.
Richards, R.
Rolleston, Col.
Round, J.
Russell, Lord J.
Russell, J. D. W.
Rutherfurd, rt. hon. A.
Seymer, H. K.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Shirley, E. J.
Sibthorp, Col.
Smith, A.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Spooner, R.
Stanley, hon. W. O.
Stanton, Sir G. T.
Strickland, Sir G.
Tollemache, J.
Troubridge, Sir E. T.

Tufnell, H.
Turner, E.
Turnor, C.
Vane, Lord H.
Vyse, H.
Vyvyan, Sir R. R.
Wakley, T.
Walker, R.
Williams, W.
Yorke, H. R.

TELLERS.
Brotherton, J.
Fielden, J.

List of the NOES.

Aldam, W.
Baine, W.
Barclay, D.
Baring, H. B.
Baring, rt. hon F. T.
Baring, rt. hon. W. B.
Barrington, Visct.
Barron, Sir H. W.
Bell, M.
Botfield, B.
Bouverie, hon. E. P.
Bowles, Adm.
Brown, W.
Bruce, C. L. C.
Busfeild, W.
Callaghan, D.
Cavendish, hon. G. H.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Colebrooke, Sir T. E.
Dalrymple, Capt.
Dawson, hon. T. V.
Denison, J. E.
Dickinson, F. H.
Douglas, Sir C. E.
Dugdale, W. S.
Duncan, Visct.
Duncan, G.
Egerton, W. T.
Escott, B.
Evans, W.
Feilden, Sir W.
Fitzroy, hon. H.
Forster, M.
Gill, T.
Gisborne, T.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Hamilton, Lord C.
Hanmer, Sir J.
Hawes, B.
Heneage, G. H. W.
Heron, Sir R.
Houldsworth, T.
Hume, J.
Hutt, W.
Jones, Capt.
Labouchere, rt. hon. H.
Langston, J. H.
Legh, G. C.
Lincoln, Earl of
Loch, J.
Lockhart, A. E.
M'Taggart, Sir J.
Marshall, W.
Marsland, H.
Martin, J.
Mildmay, H. St. J.
Moffatt, G.
Morpeth, Visct.
O'Ferrall, R. M.
Ogle, S. C. H.
Ord, W.
Parker, J.
Patten, J. W.
Pattison, J.
Peel, rt. hon. Sir R.
Pendarves, E. W. W.
Phillips, M.
Price, Sir R.
Protheroe, E. D.
Seymour, Lord
Somerset, Lord G.
Stansfield, W. R. C.
Stanton, W. H.
Strutt, rt. hon. E.
Tancred, H. W.
Thesiger, Sir F.
Thornely, T.
Villiers, hon. C.
Wall, C. B.
Ward, H. G.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wood, Col. T.
Wrightson, W. B.
Young, J.

TELLERS.
Leader, J. T.
Trelawny, J. S.

Bill read a third time.

MR. TRELAWNY then moved the addition of a clause, providing that the Act should only be in force for three years; but at the suggestion of the Chancellor of the Exchequer, withdrew the clause.

Bill passed.

CONDITION OF GREECE.

On the question that the Speaker do leave the Chair, for the House to go into Committee of Supply,

LORD J. MANNERS rose to move—

"For a Return of all monies paid by Great Britain on account of the interest of the Greek Loan up to the 1st day of January, 1847."

On a former occasion he had expressed his deep regret that he felt it necessary to make any allusion to the influence which France exerted over the affairs of Greece. So far from following the example of Lord Aberdeen and England, with respect to Greece, M. Guizot, on the 12th of January, 1846, said—

"There are treaties upon which, I will not say the interests, but the ideas of France and of England are not the same. Their policy differs. I do not wish to say that it is divided. In Greece, for example, at this moment, we have ideas different from those of the English Government. I regret it; but so it is. Well, we follow our ideas; we give to Greece our counsels; a support conformable to our ideas."

That was what was said last year; but in the course of the last week similar language was used in the report of a Committee to the Chamber of Deputies, on the subject of payment of the interest of the loan for Greece:—

"As to the attitude to be assumed by France, in presence of events which are being accomplished in Greece, it has appeared to your commitee that it ought not, cannot, be for a moment doubtful. Whatever may be the eventualities which futurity reserves for the Greek nation, the French nation ought, without ceasing, to watch over the preservation of its rights and interests, to continue with firmness and perseverance the generous mission which it has undertaken. We confide willingly in the foresight, the energy, the devotedness of the King's Government to a cause which has never ceased to be French, and which possesses the rare privilege of being placed out of the sphere of and above all parties. We are convinced that everything has been done, in a proper time and place, which events suggested or prudence permitted; neither can we doubt the French Cabinet is ready to accomplish all the duties imposed on it by the late events. The only thing which your commission can and will do, is publicly to give a warm and complete approbation of the policy of France as practised in Greece. Your committee expresses its ardent and unanimous desire, that this policy may be continued in the same spirit, on the same principle, and with equal prudence and resolution. It is by preserving the honourable and disinterested character of our diplomatic action, by concentrating all our skill in the fairness and moderation of our proceedings, and in serving Greece for her own sake, without any regard to personal advantage, that we shall maintain our legitimate influence in that country. It is thus that France will assure the definitive triumph of that sacred cause on which it has lavished so freely its sympathies, its blood, and its treasure. The committee approves the Greek Loan Bill. It recommends the Government to show itself prudent and reserved, and expresses an opinion that it would not be consistent with the honour of France either to make a demand or to utter a menace, at a moment when a country, in accord with its Sovereign, seconded by a saga-

cious and skilful Ministry, responds most worthily to the expectations of its real friends."

He had endeavoured to show on a former occasion with what justice such terms could be applied to a Ministry of which M. Coletti was the head, and of which M. Poniropoulos was the Finance Minister. We had the gratification of knowing that, since that time, in deference to the opinions expressed in the Greek Chambers, this unworthy Finance Minister had been obliged to resign his post, though we were told also that France gave its entire confidence to a Ministry so constituted as that of M. Coletti. He had only to add, with reference to this point, that it was generally understood in Athens that M. Piscatory, the French Minister, and the French Consul, had both thought proper to exercise an avowed influence, not only upon individual Members of the Greek Chambers, but upon the business about to be transacted there. He had no wish whatever to cast the slightest censure on the past diplomacy of this country, or to ask the noble Lord the Secretary for Foreign Affairs to take the slightest step of hostility either against the kingdom of Greece or King Otho. He should leave the matter entirely to the noble Lord's discretion. He rejoiced to think that the wise and energetic policy of our Minister at Athens had received the support of the noble Lord. He did not ask for force or menace; but he did ask the House for an expression of opinion as firm and determined as that to which the French Chamber of Deputies had come, that England should support her Ministers in whatever part of the world they might be, when they conducted themselves with firmness and conscientiousness, and with a due regard to the liberties of the nation in the midst of which they exercised their functions. He asked the House to express an opinion in favour of the independence of that country whose freedom we inaugurated, and whose independence we guaranteed. Before he sat down, he must add, that M. Guizot, in speaking of the report which was the result of the commission to which he had already referred, expressed himself in these remarkable terms in the course of last week:—

"The sentiments and the intentions expressed in the report of your commission are those which the Government of the King has followed, and will continue to follow as the rule of its conduct."

From this declaration of M. Guizot, it was clear that France was determined to persevere in her injurious and meddling course of policy, against which he felt bound to protest. The noble Lord concluded by moving for a return in the terms stated above.

Viscount PALMERSTON: Sir, I beg to say, in the first place, that I have no objection to the production of the papers for which the noble Lord has moved; but I will appeal to his courtesy to withdraw his Motion at the present moment, as it might lead to an interference with other important business; but, in the course of the evening, the required papers may be ordered. Sir, with regard to the general view which the noble Lord has taken of the affairs of Greece, I concur with him almost entirely. The House will be aware that the independence of Greece was achieved by the interposition of England, of France, and of Russia; an interposition which was exercised after a struggle of five or six years between the Greek nation and the Turkish Government; an interposition, too, wrung, I may say, from the Government of the day by the feelings of the public, not of this country only, but of the people of almost every civilized nation in Europe. Sir, the object of that interposition was to place a nation—endeared to every land by ancient recollections—by the achievements of their forefathers, and by the position which in more modern times the country occupied—its object was to put that people in a condition of independence, and thereby of comfort, of happiness, of increasing prosperity, and advancing civilization. For that end it was thought by the Powers concerned, that the constitution of a monarchy was more favourable to the development of national industry and the advancement of national prosperity than that of a republic—a form of government which would have made the supreme power constantly an object of struggle and contest between rival political parties, supported as they would be by different foreign Powers. I am, however, obliged to confess that hitherto at least the benevolent intentions of the Three Powers which I have mentioned have not been realized—at all events to the extent desired. For it is true, and too true, that the internal condition of Greece is far from that which the well-wishers of the Greek nation could desire to see. It is, I am afraid, too true that the Government now existing in Greece is carried on on a principle of peculation by those employed under the Crown, and of corruption practised towards and upon those who

ought to be the protectors and the guardians of the public interests. It is too true that acts of the greatest atrocity are from time to time committed by persons in the employment of the Government; that torture —torture barbarous in its character, and applied in a manner which I really would not shock the feelings of the House by explaining—it is too true that such torture is from time to time inflicted upon the unoffending inhabitants, for the purpose of compelling disclosures either of the places of refuge of criminals, or of conscripts who have fled from their ranks; and I may, indeed, state, that in one instance torture was inflicted upon a person who, being an Ionian, was therefore, if not a British subject, at least under the protection of Britain. All this is unfortunately perfectly true. Besides, we have it upon the confession of the Minister responsible for the matter to which that confession related—I mean the late Minister of Finance—that the revenue is embezzled in its progress to the Exchequer; and that it is misapplied afterwards in its disbursement and appropriation for the public service. It was stated in open Parliament, by the Minister of Finance, that whereas a great part of the revenue of Greece is derived from contributions in kind—contributions of grain, for instance—that in one district, from which, on an average of years, 180,000 kilos of grain had been paid into the Treasury, that last year not more than 8,000 kilos were levied. It was confessed, in short, that the sources of the revenue were embezzled for the profit of the agents employed to collect it; but the excuse was, that those agents were forced, said the Minister of Finance, to promote the interests of Members of Parliament with constituencies whom they misrepresented. It was proved, also, that documents which had been laid before Parliament, as proofs of the amount of revenue received, had been falsified; and it was charged, and I believe admitted, that that falsification took place in order to conceal the actual amount of revenue received, because it was said that if the whole amount of revenue realized had been publicly acknowledged, it would have been found that a surplus of income over expenditure existed, in spite of all embezzlements, and that such surplus would have been claimed by the Three Powers who guaranteed the loan, and the money thus taken out of the country; whereas, by the falsification of vouchers, the sum in question was allowed to remain for the benefit of the Exchequer. Now, Sir, although the British Government, in connexion with the Governments of France and Russia, guranteed the independence of the Greek State, yet I do not hold that that guarantee gives to any of the guaranteeing parties any right to interfere in the internal administration of the State of Greece, beyond the right of requiring that the engagements by which Greece binds herself to pay the interest of the loan advanced to her shall be faithfully observed. However we may deplore the general maladministration of Greece, and however much we may lament that the Greek people, instead of enjoying that prosperity which we intended and wished to have been their lot when they were erected into an independent nation, have fallen into the condition in which they now exist—however much we may lament these untoward circumstances, still it is not for England nor the other two guaranteeing Powers to prescribe to the Greek Sovereign who shall be his Ministers, or to the Greek Ministers what shall be the measures of their administration. In 1832 a treaty was concluded by which the Three Powers undertook to guarantee the interest and a sinking fund on the loan of 60 millions of francs, to be raised for the service of the Greek State. Each of the three contracting Powers was to guarantee separately one-third of the 60 millions in question. The share, therefore, for which we are liable, including the interest and one per cent as a sinking fund, is for twenty millions of francs, raised, as I have said, for the service of the State of Greece. But, in order to provide against the charge of that interest and that sinking fund being unecessarily thrown upon the contracting Powers, care was taken, in wording the treaty, to stipulate that the first purpose to which the revenue should be applied, the first burden to be attended to in fact, should be the interest and sinking fund in question. These were to be paid up in the first instance; and the representatives of the Three Powers at Athens, it was further agreed, should be charged with the duty of watching over the due execution of this engagement. I lament to say, however, that this part of the agreement has been entirely overlooked or absolutely set at nought; and the returns moved for by the noble Lord will show that between the year 1843 and the present time, an amount little short of 200,000*l.* has been advanced by this country. Now, if the poverty of the Greek State had been such that it had really no means of paying the interest on

its debt, or at all events without such a pressure as would have rendered all attempts at improvement impossible, then I have no doubt that with the same kind and generous feelings which led the people of this country to sanction the measures taken for the establishment, the maintenance, and the development of the Greek State, they would have been led to see without repining even so large an application of the public money, for a purpose in which indeed England had no direct interest, and from which she could expect no direct profit. But if, on the other hand, it should appear that these charges have been unnecessarily thrown upon us—if it should appear that this nation is to be called on to pay, as it has been only last year, 46,000*l.* for the mere purpose of enabling a Greek Administration to carry on a system of peculation and corruption; if it should appear that we have been thus saddled, unnecessarily saddled, with pecuniary burdens, not for any real interests of Greece, but for the mere object of keeping a certain set of men in power; then, Sir, I conceive that it does become the duty of those who may be charged with the interests of this country to make due application to the Greek Government to pay its own interest on its own loan. I am sure that the generous and kindly feelings which this House and this country must ever entertain towards a nation beginning its existence and struggling with many difficulties, would lead them to approve of the conduct of a Government in not pressing for immediate repayment of the whole arrears which I have mentioned; but still I think that Her Majesty's Government, in calling upon the Government of Greece to repay the last instalment of 23,000*l.* due in March last, and to make provision for the future payment of each instalment as each becomes due—I am sure, I say, that public opinion in this country will come to the decision that Her Majesty's Ministers in exercising this discretion cannot be charged with showing less indulgence than was fairly due to friendly feeling for a young and protected State. Sir, as I said before, in the justice of the other portions of the noble Lord's remarks I generally agree; but I am quite sure that he, and those who think with him, must feel they referred to matters which, however interesting they may be to every well-wisher of Greece, and every friend of European civilization, are still subjects with regard to which the British Government would not have sufficient ground to stand upon, were it to attempt to prescribe to the Sovereign of Greece who shall be his Ministers, and to dictate to the Minister what shall be his measures. With regard to that part of the speech of the noble Lord which treated of the contest of foreign influences—which has gone on too much in Greece—all I can say is this, that as far as the English Government is concerned we have no peculiar party, no peculiar preponderating influence in Greece. I cannot, indeed, understand the meaning of the terms English, French, and Russian parties in Greece. What possible object can either England, or France, or Russia, have to aim at in Greece? All I can say is, that I can and do assure the House that if a Minister of Greece—be his name what it may—were to send a blank piece of paper with his signature at the bottom of it, and say, "Write, write above my name any conditions you please, guaranteeing to England any advantages, either political, or naval, or military, or commercial, which you may wish—do this, and my signature is there to vouch for their performance and realization;" this would be our only answer—the only answer which a Minister for Foreign Affairs could make—"Take back your paper and put it into the fire. We want nothing of you, but that you should govern your country as we hoped to see it governed; and as we attempt to govern our own—make the Greek nation happy, prosperous, and contented. This is all we want—this, and that you will pay the interest on that portion of your debt which we have guaranteed, and for which we are liable." Such is our feeling upon the subject; and as our imaginations have never been able to picture to themselves any English interest to be served by having in Greece a set of men calling themselves the British party, I am equally at a loss to understand what is that great value which it seems is attached in France to the maintenance in Greece of an Administration said to represent French interests. I cannot see what French object is to be accomplished thereby. But if the French Government think it is for the advantage of France, and the French people think it is a triumph to them that a Greek Minister should be at the head of what they call a French party, then, all I can say is this, that so long as that Minister fulfils his duty, so long as he discharges those conditions to which I have alluded, there is not, I believe, any man in this country entertaining those feelings of jealousy towards France which would lead him to make any effort to disturb our

neighbours, in the possession of that to which they seem to attach an interest, and from which it is impossible to conceive that anything prejudicial to us will arise. All we wish is, that peace should be well preserved; and considering the part which we took in the emancipation of Greece—considering the labour and efforts, both by negotiation and other means, which successive Administrations have exerted for the purpose of securing Grecian independence and Grecian prosperity—then I think that it is natural, and not only natural, but a duty, on the part of the Government of England, to employ any good offices which may be in its power, consistently with a due respect for the independence of Greece, to make use of, for the purpose of assisting her in the following out of the career which, as an independent State, she is destined to run. I say, then, as the organ of Her Majesty's Government on this occasion, and I can solemnly assure the House, that the only wish of the Government is, that Greece should be well governed. We may have our opinions as to the capacity of different statesmen in Greece so to govern their country; but be it governed ill, or be it governed well, however much we may lament the one or rejoice over the other, we have no intention to dictate. We trust that the representations which we have made will induce the Government of Greece to fulfil the obligations which it has contracted with England; and we trust also that the smaller matters in which persons under British protection may have reasons for complaint, will be duly and justly considered by the Greek Government. But though, as far as friendly advice may go, we shall be ready to give it, our interference must be limited to the accomplishment of the objects which I have stated; and we utterly disclaim having any views connected with Greece, for the accomplishment of which we should wish to create a British party, separated in its feelings from the party called Greek. And here let me do justice to those distinguished men in Greece who constitute what is called the "British party." I say that I am quite convinced that the only sense in which they can be called the "British party" is this—that they believe that the British Government wishes sincerely and honestly to promote the welfare of their country; and I am persuaded that there is not one amongst them who, if we were to ask for anything injurious to his country—inimical to her interests, or derogatory to her honour, who would not repudiate the title of "British party," and say and prove that he was Greek and Greek alone. I again say, that I shall be most ready to agree to the Motion of the noble Lord, and later in the evening to produce the papers for which he has moved.

SIR R. H. INGLIS agreed with the noble Viscount (Viscount Palmerston) in the opinion that no amount of maladministration would justify this country in interfering in the internal concerns of another; and also that, where the right to interfere in the case of a given country existed, such right could not extend so as to violate the independence of the Sovereign in the choice of his Ministers. A particular wrong was to be redressed, or a particular right to be conceded; but the specific means of doing either must be left to the internal organs of the country. So again, in the present case, whatever the amount of peculation might be among the inferiors in the Greek Government, or of corruption among the superiors, or of torture in the administration of the law, or of tyranny in every department, the English Government had no more right to interfere because of these things, than they had to interfere in the government of Timbuctoo or Tonquin. The right of England to interfere with Greece was very different. There were three countries with respect to which England had an equitable right to interfere—Sardinia, in the case of the Vaudois, Russia in the case of Poland, Greece in respect to the loan. But these cases might be discussed without offence to those who were still the allies of England. He could not but regret that a tone so different from that which was adopted in that House had been adopted elsewhere. Though we might say that we did not desire to have a Russian, or a French, or an English party in Greece, he could not but feel that there was on one side of Europe a predominant Power, which now, for nearly a century and a half, had been looking wistfully on Greece—not Greece as it existed now in its freedom, but upon the whole Turkish empire. If there was a Power against which it was absolutely necessary at any time to guard, it was certainly not against France or England that Greece ought to be watchful; and he should have been much better pleased to find the power of England united with that of France, if it were necessary to have a distinct interest between the Three Powers. He should like to see the interests of Eng-

land and France united as one in protecting Greece against what might be called something like an hereditary desire on the part of Russia to possess herself of all the region which was now comprehended under the term Greece, and to which Russia was united by the prevailing bond of religious union. But whatever might be the difference of opinion on the part of the two representative bodies alluded to, he was most anxious that nothing should be said or done in either Chamber, here or in France, which might provoke hostilities between the Powers concerned in the affairs of Greece. Nor did he dread it. And when he said that, he did not mean dreading it, as in fear of the result; but that he did not dread the occurrence of such an event if the noble Lord at the head of the Foreign Office would maintain the langaage of firmness which he had adopted in that House; and if he would be pleased to state that England required no interference whatever in the affairs of Greece, except such as might enable Greece to discharge her *bonâ fide* obligations to this country. Greece had a claim upon us, not from her own classical associations, not even for her gallant and glorious conduct during the war of independence, but he ventured to claim for her the support, sympathy, and applause of Europe, on account of the bloodless revolution which she effected in 1843. Before resuming his seat, he would advert in a few words to the manner in which England had already interfered, in the person of one of her most distinguished diplomatists—he meant Sir Edward Lyons, the representative of the Power of England at Athens. Already had he interfered, though not beyond the bounds of strict duty, but in a manner that justified all the applause which successive Administrations had felt it to be their duty and privilege to bestow upon that Minister. He wished, therefore, that the noble Lord, and Her Majesty's Minister at the Court of Athens, should be encouraged by the opinion of that House to pursue the same line of conduct which they had hitherto adopted. He believed that perseverance in that course would at last attain its object and reward, in the general improvement of Greece. Of this, also, he was sure, that this country would deprecate war, or the adoption of any measure which would lead to war. A great country like this, having no selfish object in view, would be sustained completely in the course which might be necessary for the vindication of its rights. If this course were persevered in, he believed the result would be that Greece would be made capable of discharging her debt. That debt he valued not for its pecuniary amount; but he did value its payment as an evidence to the world that Greece had at length become worthy of the care and cost of her adoption. Because Greece could not pay the debt whilst she was misgoverned, he should hail the payment of that debt as the most grateful testimony that could be formed of the good government of Greece.

Sir J. HANMER was quite sure that the House and the country would be perfectly satisfied with the noble Lord's explanation of the views and conduct of Her Majesty's Government; but he could not altogether subscribe to the limitation which the noble Lord had put to the interest which the House ought to take in the affairs of Greece. He understood from the speech of the noble Lord, that not only had the most horrible tortures been inflicted in this constitutional country of Greece, but they had been inflicted upon a man who, though not exactly an English subject, was under the protection of England. And, therefore, he thought that it was not only the payment of the loan or the interest of the loan that Parliament ought to require, but that it ought also to express its hope that the statesmen of Greece would be able in a very short time to bring the government of that country into a state more in accordance with civilization than that which prevailed there now.

Dr. BOWRING said, the debate would not be without its weight on the good government of Greece. He felt that the interest of England was intimately associated with the liberties of that country. It was his fortune, about a quarter of a century ago, to be one of those charged to communicate to the late Mr. Canning, then Prime Minister of England, the state of feeling that existed in the Peloponnesus; and he ventured to tell that great and illustrious statesman that the dream which he had indulged in when a boy might, perhaps, be realized by him as Prime Minister; and it was the good fortune of that great man to lay the foundation out of which he anticipated the realization of the independence of Greece. The hon. Member then adduced some particulars to show that in the face of all the misgovernment which had afflicted Greece, considerable progress had been made in the development of some of her resources. No reference was made

to Greece when a Sovereign was chosen for Greece; there was no inquiry whether the individual who was imposed upon that country almost as an absolute despot, was qualified for that station; and in every respect that choice was unfortunate. At the very outset he made the greatest mistake—he had attempted to introduce a barbarian court and barbarian manners, and to disconnect himself from the people over whom he had been appointed to reign. Were not the Greeks worthy and desirous of good government? There never was a revolution more honourable to a nation than that of 1843; but what was the effect of it? The leader was driven into banishment, notwithstanding the services which he had rendered to his country, and although he had saved the life of King Otho. The modern Greeks had not lost all the great qualities of their ancestors. Through centuries they still inherited great intellectual qualities, great desire of improvement, great eloquence, great powers; and he would only ask the House to compare Greece and Spain at the present time. In Greece there had been and were fierce struggles, as fierce and exciting as those which had been carried on in Spain; but in Greece there had been no effusion of blood—and he would venture to say that there were no Greeks who did not desire a pacific and constitutional Government. It appeared to him that England did not discharge her duty if she did not exercise her influence to relieve Greece from the thraldom to which she was now subject. He did not mean by violence—it was not by violence that England exerted the most powerful or beneficent influence; but well he knew that the word of England was all-powerful, and if spoken by the noble Lord on this occasion would have the best effect; and Greeks would know that the happier and the better governed they were, the more satisfaction would be felt by the Parliament and people of England.

MR. BORTHWICK said, that he was sure that the statement of the noble Lord would give great satisfaction in Greece; and he agreed with the noble Lord in saying that he could not see any legitimate interest which France or England could have in obtaining an ascendancy in the councils of Greece—but he was afraid that the French were more imaginative. In the Chamber of Deputies there were early symptoms of a more lively imagination on that subject; and they found that corresponding effects showed themselves in Greece. However, the declaration of the noble Lord would have the desirable effect of convincing Europe that England had no desire except to secure the real stability of a Government in Greece, which should not be influenced by French interest or English interest, but should be devoted exclusively to Greek interests.

MR. HUME wished to know from the noble Secretary for Foreign Affairs whether he had any objection to state what remonstrance he had made against the acts of tyranny and oppression to which he had referred? Those acts were a disgrace to any civilized nation; and it was impossible for this country to look on at such a state of things without using the strongest possible protest against their continuance. He understood the noble Lord to say that he had not interfered as to the appointment of Ministers by Greece. The noble Lord's statement was a complete answer to the fears and alarms which existed in France on that subject; and he hoped it would have the salutary effect of strengthening that concert which ought to exist between France and England as to the affairs of Greece. He should conclude, then, by asking what measures the noble Lord had taken in order to represent to the Government of Greece the necessity of changing the conduct which they had pursued?

VISCOUNT PALMERSON: I have already stated that, with regard to the financial disorders in Greece, the application made by our Government to repay the last instalment of the loan is in fact a remonstrance against the disordered state of the finances; and indeed I may state, what perhaps the House will recollect, that last year a similar application was made by the noble Lord who preceded me in the office which I have now the honour to hold. With regard to acts of torture, it happened, as I stated, that an Ionian was subjected to treatment which did render it incumbent on our Government to make representations to the Greek Government; and that case naturally drew forth the opinion which the Government entertained as to the prevalence of that system in Greece. With regard to that state of things, for which, fortunately, we have no word in the English language—I mean the brigandage, or system of general robbery which has prevailed in Greece, cases have occurred in which British subjects were unfortunately the victims; and our representations on those cases have also afforded an opportunity of drawing the attention of the

Greek Government to the lawlessness and violence which prevailed in different parts of Greece.

MR. PHILIP HOWARD thought, that France and England being both sponsors for the nationality of Greece, might, without any compromise of opinion on litigated questions, unite, cordially unite, in one joint protest against the cruelties and acts of torture permitted, if not actually perpetrated, by the Government of Greece—else that debate would be without fruit or practical benefit to the cause of humanity and civilization. If those two great nations could at least co-operate in a cause dear to their interests, it would do more to appease dissension in Greece than any course which could be devised; it would demonstrate to the inhabitants of that distracted country a union of purpose, in what vitally concerned order and good government.

Motion withdrawn.

SUPPLY—MISCELLANEOUS ESTIMATES.

House in Committee of Supply.

The first vote proposed was 117,989*l.* for the expenses and repairs of various public buildings, and for the repair of royal palaces and gardens.

MR. HUME thought this estimate ought to be brought before the House in a different manner. The expense of the different buildings should be separated, and other means afforded of ascertaining what had been done. Looking at the waste of money in the buildings of the House of Commons, he thought there ought to be some means of checking this class of expenses. There ought to be an annual report, stating what had been done in each case.

MR. W. WILLIAMS said, that the very large sum of 43,000*l.* in this vote was proposed to be expended on royal palaces. Her Majesty never used one half of those palaces which it was proposed by this vote to keep in repair; and he really thought that in times like these, every expense not absolutely necessary for the comfort and convenience of the Sovereign ought to be dispensed with. Take, for example, Hampton Court Palace: it was filled with members of some of the richest families in the country; and there were some there who, neither through themselves, nor their connexions, had the slightest claim on the people of this country. When the vote last year for 20,000*l.* was taken in order to be laid out on Buckingham Palace, it was said that the Pavilion at Brighton was to be sold as a set-off. He found, however, that in this very estimate there was a charge for keeping in repair the Pavilion at Brighton and its outbuildings. He hoped that the whole of these charges would be thrown on the Woods and Forests for the future, so that the House might distinctly understand the amount of outlay required for the royal palaces. He would also recommend the Government to concentrate the public offices in the same buildings, and not allow a large portion of those now in use to be occupied by the private residences of the officers attached to them. The sums expended in rent for public bodies which should be provided with public offices was enormous. For example, a house was rented for the ecclesiastical commission at 511*l.* a year. Why should the public be taxed with that charge for the accommodation of a body with immense funds at their disposal, and why should they pay 3,450*l.* for the salaries of officers attached to it? The public had nothing to do with such charges, and ought not to pay them. Another heavy charge was for the temporary accommodation of the Railway Committees, which came to 2,100*l.* a year. He also objected to the public being obliged to pay for the maintenance of the cathedral of Glasgow and for St. Andrew's in Scotland, and hoped the Government would pay some attention to his remarks.

VISCOUNT MORPETH quite agreed with the hon. Gentleman (Mr. Hume) that the House had a perfect right to know the appropriation of the several sums mentioned in respect to palaces; but the fact was, there was a difficulty in ascertaining the precise sum which was required for each palace. He also agreed with the hon. Member who had just spoken (Mr. Williams), that it was a wasteful expenditure of public money that so much should be annually consumed in rents of houses fitted for the accommodation of public departments. He feared that that must continue to be so long as the business of the country was of the present vast amount, until there were more large public buildings to accommodate the claims made upon it. The Railway Board, for instance, was constituted last year; and the department of the Woods and Forests was called upon to furnish a place for the transaction of their business. They found it impossible, however, to find a suitable house in the neighbourhood at a rent short of 2,100*l.* For his own part, he would like to see some of our vacant spaces filled

up with suitable buildings, so as to enable them to accommodate the public departments without depending on the present precarious and expensive mode. With respect to Brighton Palace, it had certainly been determined last year that it should be no longer an incumbrance to the nation, but that it should be sold and made to realize as much as possible. Difficulties had, however, arisen as to the title to the ground on which it stood; but he assured the House that very diligent inquiry was being made to bring the matter to a satisfactory termination. Then, with regard to Hampton Court, he felt sure that if the hon. Gentleman reflected on the amount of enjoyment derived from the works of art in that palace, and the really enjoyable gardens there, he would not grudge the sum required to keep that palace and those gardens in a sufficient state of repair.

Mr. HUME wished to know if any steps had been taken to ascertain the truth of the statement made by the Knights of Windsor? Last year he had had occasion to call the attention of Government to their application. The Dean and Chapter had got possession of the funds of the Poor Knights, and would neither allow them their proper incomes nor keep their houses in repair. He knew it was very difficult to watch the Church, or to get back from them money of which they had once obtained possession, but he hoped Government would attend to this subject.

Viscount MORPETH said, the question related to a very intricate subject of property, with which any one who valued his time or comfort would be rather cautious in interfering. All the papers relating to it had been referred to the law department of the Government, and the claim made by the knights depended on the existence of a document which had not yet been found.

Vote agreed to.

On the vote of 150,000*l.* for defraying the expenses of the works at Buckingham Palace,

Mr. HUME observed, that last year he had made an appeal to the noble Lord on this subject, which like most of his appeals was of little use, or was at least but little attended to. They were laying out the public money very improperly. The House would remember that the Chancellor of the Exchequer undertook that the buildings should not cost more than 300,000*l.*, but that afterwards they had been called upon to pay 750,000*l.*, which the addition of 150,000*l.* would make nearly a million expended on this ungainly edifice. Such a production was no credit to the Government or to the country, and it would have been much better to have selected another site for a new building. He was satisfied this money would be wasted, and that the effect of the alterations would be to make the square of the palace so close as to render it more unhealthy than before. If there had not been plenty of room elsewhere for the residence of the Royal Family, he would not say anything on the subject; but he did not see why Her Majesty should not put herself to inconvenience as well as other people, when there were other places to go to. He hoped she would live long to occupy the new palace, but thought she might allow time to Government to erect a building which would do them and the country credit. However, he clearly saw there was no stopping this course, and all he hoped was that the noble Lord would take care not to let the House in for another 350,000*l.* He could not but mention it, to the honour of Mr. Blore, the architect, that he had saved 20,000*l.* in his estimate of the expenditure in the actual execution of the works.

Lord JOHN RUSSELL said, he quite agreed in the observation of his hon. Friend, that it would have been much better to have spent so much money on another palace, and thought it well founded; but the question the Government had to consider last year was, whether it would be better to spend so much money on Buckingham Palace as would be necessary to make it convenient for Her Majesty's residence—concerning which papers were laid before the House, in order that they might judge for themselves—or whether they should begin a new palace. Undoubtedly it would have been the handsomer plan, as well as that most suited to Her Majesty's convenience, to have begun the new palace; but the question Her Majesty asked the Government was, would they advise the House to incur such a large expense as 800,000*l.* or 900,000*l.* for the purpose of building; and he thought it would have been hardly agreeable to the hon. Members for Montrose and Coventry if such a proposition had been made to them. The result of those deliberations among themselves and with the Members of the last Government was, that they had better not commence a building which would involve so large an expenditure. He did not think that the buildings now in progress would prove so un-

healthy or such a deformity as the hon. Member seemed to suppose. The plans and elevations made by Mr. Blore were very handsome, and would make a great improvement in the view of the palace now presented to the public, as well as afford great convenience to Her Majesty and the Royal Family. He could not suppose that his hon Friend would suggest that Her Majesty should not have any residence in London, or that the Royal children should not be located in the same place with herself. He could hardly propose, for instance, that the Queen should live in Buckingham Palace, while the Princes remained at Windsor. Under the circumstances, Government had taken the most economical plan in their power, though he quite agreed with the hon. Member that it would have been more desirable to have had a palace worthy of the Sovereign and the nation.

Vote agreed to.

On the vote of 5,500*l.* to defray the expense of erecting a Palm-house in the Royal Botanic Gardens at Kew,

Dr. BOWRING expressed his sense of the great credit which was due to Sir William Hooker for the care he had taken to augment the collection, and his efforts to popularize the gardens, and admit the public to a full participation in the pleasure to be derived from them. That eminent man understood the responsibilities of his situation, and discharged his duties in a manner that must command the approbation of Parliament and the public.

Viscount MORPETH was happy to reflect that the collection at Kew excelled anything of a similar kind in any other part of the world. No little of its beauty, comprehensiveness, and utility, was owing to Sir W. Hooker.

Mr. HUME agreed entirely in what had fallen from previous speakers, and thought it due at the same time to say that it was much to the credit of the late Mr. Aikin that he should have first opened these gardens to the public. The number of visitors, which in 1841 was 9,174, had gone on increasing to 11,000, 13,000, 15,000, 28,000, and last year there were no fewer than 46,500. He would recommend that the spot belonging to the King of Hanover, including the kitchen garden, should be added to the ground now open to the public, and would suggest to the noble Lord to set on foot a negotiation with that Sovereign to induce him to give up the garden.

Viscount MORPETH observed, that the collection left by the late Mr. Clowes, with the collection formerly given by the liberality of the Duke of Bedford, made the botanical repositories at Kew more complete in the department of orchideous plants than any other in the world.

Vote agreed to.

On the vote of 17,709 to defray the expense of providing temporary accommodation for the Houses of Parliament,

Mr. HUME wished to ask if the noble Lord could tell him when he might expect the accounts called for by the House of the expense incurred for any buildings up to the present time; and also the estimate of the expenses that still remained. When such large sums were being voted year after year on account of temporary accommodations, it became a matter of great importance to know when they were likely to get into their new House, and if they were ever likely to get into it. When the accounts of which he spoke were prepared, it would be his duty to recommend the House to appoint a Committee to inquire into the reasons why so long a period had been spent in finishing a building which should have been finished, according to the pledge given, two or three years ago. As matters looked now, he apprehended it would not be finished till they had all gone from the scene.

Viscount MORPETH could speak with greater confidence of the time when the accounts were to be produced than of the time at which they were likely to get into the new House. The accounts were very voluminous and searching, and required a little time in the preparation, but not so long a time as the hon. Member expected.

Sir R. INGLIS hoped that he should succeed in obtaining the sanction of the Government to the appointment of a Committee to investigate the cause of the delay in the completion of the new Houses of Parliament. It appeared to him, that unless the House of Commons took some active steps in the matter, they would never be introduced into the House which was intended for their reception. They were put off from year to year by some fresh excuse. It was no exaggeration to say that, at that moment the architect was two years behind the time at which he promised to have the House finished. [Mr. Hume: Five years.] It was necessary for the House to interfere to compel the architect to get on with his work. The rapidity with which other great works were executed in London, put to shame the dilatory proceedings at the Houses of Parliament.

There could be no doubt, that if the persons engaged in building the Houses had a personal interest in the expenditure of the money, the result would be very different. In consequence of the delay in the completion of the building, it had been necessary to expend 200,000*l.* in providing temporary accommodation in connexion with the present Houses of Parliament.

DR. BOWRING wished much to know by what mysterious influence the Lords had succeeded in getting into their apartment. The noble Lord said he could give that House no hopes, though they might get the accounts. He could not see that the preparations for the new House of Commons made any progress whatever from year to year; neither roof nor floor was there, or anything beyond the bare walls. He would ask if the Upper House was to be lodged in all its splendour, whilst the House of Commons was looking on? Very active influence, it was said, had been used on behalf of the Lords, which had succeeded in introducing them to their most splendid apartment—his hon. Friend said gorgeous, and everybody would admit that it was so. They could not learn on whom the matter depended, and he wished to know if there was any prospect of their being able to get in soon.

MR. GOULBURN thought there was a very obvious reason why the other House should get into their own apartment first. His hon. Friend would recollect that when the fire occurred, the House of Lords gave up their own chamber, in order to occupy one that was very confined and uncomfortable, in which that House discharged their functions very inconveniently during the time they occupied it. Whatever splendour there might be about their present chamber, no one would deny that it was, at least, more comfortable than the last, and he therefore did not think it expedient to urge the Government to too great hurry.

SIR DE LACY EVANS remarked that, on inquiring as to the delay which had taken place with the new House, he was told that the architect was employed in executing some ten or twelve places in different parts of the country for noblemen and gentlemen. He thought it hardly fair that this great work should be suspended in order to enable their eminent architect to carry on his operations in various parts of the country at once. He agreed with the hon. Baronet (Sir. R. Inglis) that, unless the House interfered, it was quite uncertain whether they would have to wait five or ten years longer.

LORD J. RUSSELL said, his hon. and gallant Friend was mistaken in the observations he had made relative to the employment of the architect. He believed, if it was the wish of that House that extraordinary speed should be used in the construction of the new building, so that the House of Commons might be enabled soon to occupy their House, and if they were ready to grant the money for that purpose, the architect would not have the smallest objection to having the work finished in the shortest possible time within which it could be completed. He was very much of the opinion of the right hon. Gentleman opposite, that the Lords naturally wished to get into their House as soon as possible, on account of the great inconveniences to which they were subjected in their former place of meeting. He did not feel that there was such great inconvenience in the present House of Commons; on the contrary, he thought it very convenient; and though he had no doubt that the architect would proceed with the building, he did not see any reason for extraordinary hurry.

Vote agreed to.

The next vote proposed was 150,000*l.* for the expense of the works on the new Houses of Parliament, beyond what has been already provided for by votes.

MR. WILLIAMS objected to the enormous and extravagant expense of 40,000*l.* which had been incurred for the interior fitting-up the gaudy room in which the Lords sat. Mr. Barry cared nothing for the public purse; his only object was to glorify himself. He had understood, also, that fees were demanded from the public for visiting the House. ["No, no!"] He believed it was so; and if the public were called upon to pay at such a rate for the building, they ought at least, to be admitted to see it without the slightest charge.

MR. PROTHEROE thought Mr. Barry did not deserve the treatment he had received from the hon. Member for Coventry (Mr. Williams). Mr. Barry had only carried out in the best manner the design approved by the parties in whose hands was placed the selection. He (Mr. Protheroe) thought it an unfortunate selection, and the style adopted the most inconvenient for the purpose, at the same time that it was the most expensive. He thought no one who looked at the range of magnificent fretwork which the exterior exhibited

could doubt its expensive character; and for himself, notwithstanding its beauty, he should have preferred something more simple—something in the Italian style. He believed, however, that the present style was in accordance with the taste of the nation, and that no objection would be made to the expense. Mr. Barry had had no other object, he was quite sure, than that of carrying out the views of those who had adopted his designs.

Mr. HUME said, Mr. Barry pledged himself to keep within the original estimate of 750,000*l.*; but the first plan had been departed from, and for this he blamed the different heads of the department of Woods and Forests, who had the controlling power; one of the Chief Commissioners signed some of the altered plans, under the belief that they were the original designs. None of these officers seemed to have been able to exercise any power over the architect; and the whole must be considered the exclusive work of Mr. Barry. It was not the expense he (Mr. Hume) lamented so much as the failure of the building to secure the objects for which it was intended. It would be a failure internally and externally. There was only one part of it where the sun could enter from June to December, the south-west, and there an immense tower was to be built, as if for the purpose of keeping the sun out; the House would never be either dry or comfortable. He wished to know in whose hands the warming and ventilation were placed. The Committee was called on to vote 42,000*l.* on account; he must ask if Mr. Barry and Dr. Reid had agreed as to the plans? The noble Lord only hoped they might agree; but were the public to be kept at bay in this manner? It appeared to him that Mr. Barry had treated the heads of the Woods and Forests like a parcel of children; none of them had dared say nay to him. It was time to change this system; and he advised the noble Lord to take some steps to have the matter settled. He understood that Dr. Reid's plans had been altered; if that was the case, whose plan had been taken?

Viscount MORPETH said, the original estimate of Mr. Barry was understood to refer only to the carcase of the building, not to the interior. He must also state that the department of Woods and Forests had never been invested by the House with any discretion or judgment as to the works; it had only the power of checking the accounts. With respect to the dispute between Mr. Barry and Dr. Reid, shortly after he came into office he perceived that if left to themselves they were not likely to come to any satisfactory mode of proceeding; he had therefore desired Dr. Reid to make out his plans in detail; they had just been completed, and were now submitted to Mr. Barry, and he hoped he would be able to carry them into effect without further dispute. He thought it an unfortunate arrangement to have originally given a concurrent authority to two persons, and he had done his best to obviate the inconvenience of it.

Mr. B. ESCOTT thought the delay arose, in a great measure, from the highly ornamented style of the building; if consistently with its character this excess of ornament could be avoided in the rest of the fabric, a large part of the public would be better satisfied. He thought the style adopted, the Perpendicular Gothic, the worst that could have been fixed on. The Old English style would have been preferable; but if the former must be continued throughout the building, he hoped the architect, in finishing the House of Commons, would dispense with that enormous quantity of painting and gilding that disfigured the House of Lords.

Viscount MORPETH must observe, that as the House of Lords was the place of meeting of the Three Estates of the Realm, it had been decorated with more splendour than it was intended to employ in the House of Commons; that would be fitted up in a much plainer style; he believed gilding would be abstained from altogether; and, in short, the decorations would be such as to suit better with their simpler and severer taste.

Vote agreed to.

On the vote 1,140,000*l.* on account of constructing harbours of refuge,

Mr. FITZROY begged to call the attention of the House to a subject of the greatest importance, namely, the defenceless state of the south coast of England; in proof of which he need scarcely do more than refer the House to the speech of the right hon. Gentleman the Secretary for the Admiralty, by whom it was fully admitted. There were two points, however, to which he would beg the attention of the House: firstly, the immense amount of property and large numbers of inhabitants in towns and villages on the sea shore now exposed to danger from invasion by a foreign foe and from the inclemency of the weather; and, secondly, that Newhaven

was the best and most available point at which protection could be given, and that too at a smaller cost than at any other point. In reference to the first statement, it appeared, contrasting the houses and inhabitants on the coast in 1841, when the last returns were made, with what they were in 1811, that in both respects the increase had been fourfold at least. Newhaven had many peculiar advantages, both as a harbour of refuge, and as a point at which a war steamer might be stationed. Great loss of time would also be saved to the mercantile navy, and great loss of property avoided, as there was no place on the coast at which to put in, either to escape danger from bad weather or an enemy. The roads might be deepened and kept clear at a very small expense, so as to admit large vessels. It was easy to be seen in working up the Channel, having near it, as a guide, a remarkable and well-known headland; and it was a place from whence there was an admirable look-out to seaward. It had been said, by the highest possible authority, that the greatest danger from an enemy might be apprehended from the peculiar fitness of this very coast for the landing of cavalry and artillery, the open country around supplying forage for the horses. Newhaven was, moreover, but thirty-six hours march from London; and therefore on that account ought to be placed in a state of defence. Being now but a journey of an hour and a half by rail from the metropolis, it was also an admirable depôt for coal for the war-steamers, the supply inland being so quick and certain. In reference to the cost, he stated that the debt on the harbour had been reduced from 13,800*l.* to 4,900*l.*; and that when they had discharged this private obligation they were willing to place the surplus at the disposal of Government. Several high authorities had recommended Newhaven as a harbour of refuge; and it was now better than ever in consequence of the improvements projected, and in course of execution by the railway company. He therefore did not think he was asking too much, if he asked the appropriation of a small sum to be applied to the deepening of the harbour, so as to admit war-steamers. The opinion of Captain Washington, Mr. Walker, Sir John Rennie, and the other gentlemen of great scientific attainments who had examined the harbour, had borne witness to its value as a harbour of refuge. The reports of the Commissioners who had been appointed on two different occasions, unanimously agreed that the harbour of Newhaven was the most important on the south coast. The expense, according to the estimate of Mr. Walker, would not exceed 150,000*l.*, to be extended over a period of three years. He did not call upon them at this moment to vote any large sum; but he considered that a grant of 40,000*l.* at present would recognise the principle, and at the same time go far towards the establishment of not only a harbour of safety, but a harbour of defence also at Newhaven. While pressing upon them the necessity and expediency of expending a sum for a purpose not hitherto authorized by Parliament, he could not lose sight of the more powerful argument, that the expense entailed upon us by a war would far exceed any sum which we could expend upon such a purpose. He would not propose a vote for the purpose in the regular way, but he hoped the noble Lord at the head of the Government would not lose sight of the suggestion; and that if he were not prepared at this moment to adopt the suggestion, he would at least give a promise to consider the matter next Session, and thus assert the principle of protecting the property along our coast, and defending our shores from foreign invasion.

MR. H. CURTEIS was not disposed to withhold from the hon. and gallant Member for Lewes (Captain Fitzroy) the credit to which he was justly entitled for advocating so ably the claims of Newhaven harbour to a Government grant; but, although he had paid great attention to his speech, he had not heard a single word said about the desirability of voting a sum of public money to improve the harbour of Rye, in which he (Mr. Curteis) was interested. He did not wish to be understood as opposing any grant of the public money towards improving the harbour of Newhaven, but merely wished to direct the attention of the Government to the case of Rye harbour, which was well worthy of notice.

The CHANCELLOR OF THE EXCHEQUER said, it was true that the Government had thought it their duty to improve the defences of the coast of this country; but it must be remembered that the Commissioners, in their report, spoke of Dover as being the most important to be attended to; and Seaforth came after that, and before Newhaven. It would be better to act upon that report, and take the harbours in some sort of order, than to adopt the suggestion

of any hon. Member as to a particular harbour; for if they did not, they would have other hon. Members rising up, and each advocating the necessity of making a grant to any harbour with which he might happen to be connected.

Dr. BOWRING begged to inquire whether, among the various and multitudinous subjects which claimed the attention of the Chancellor of the Exchequer, his attention had been directed to the harbour of Douglas?

The CHANCELLOR OF THE EXCHEQUER replied, that many representations had been made to him as to the necessity of fortifying the harbours along the coast, in case of the possibility—he would not say the probability—of invasion by a foreign enemy; but that the impression was, that the south coast was the most important.

Vote agreed to.

House resumed.

RAILWAYS, PIERS, AND HARBOURS (IRELAND).

Report of Resolutions on the Railways, Piers, and Harbours (Ireland) brought up.

Mr. HUME stated, that after the decided opinion which the House had expressed upon a previous night on this subject, it was not his intention to offer any further opposition. He would simply content himself by entering his protest against Government undertaking a portion only of a large plan at a time, when they could not command the necessary funds to meet the demands upon them, and when money was not to be had under rates of interest varying from five to ten per cent.

Mr. HUDSON expressed the great pleasure which he felt that the House had agreed to those resolutions, and only regretted that the Government aid now proposed to be given was confined to three railways. He did not attribute the present depressed state of the money market to railways, but to the restrictions under which the commercial and financial world laboured, in consequence of the financial measures of the late Government. In his opinion, Government grants of this description were eminently calculated to promote the prosperity of the country; and he hoped the Government would watch the effects of the present grant, in order, at a future time, to follow it by others of a more general and comprehensive nature. If they were not prepared to adopt the measure which had lately been brought under their consideration, in all its integrity, he hoped they would propose an amelioration of it, which would have the effect of encouraging railways and public works. He also hoped, that if the financial measures of late years were found to be too stringent and embarrassing upon the commercial classes, that the Government would take measures to relax them.

Mr. WILLIAMS hoped, that instead of following the advice of the hon. Gentlemen opposite, Her Majesty's Government would carefully avoid granting any money for such a purpose, when the best commercial bills could not be discounted for less than eight or ten per cent.

Resolutions agreed to. Bills to be brought in.

POOR LAW ADMINISTRATION.

Sir G. GREY: I rise to move, pursuant to notice, for leave to bring in a Bill to Amend the Administration of the Laws for the Relief of the Poor in England. I do not propose to effect by this Bill any alteration in the general provisions of the laws now in force relating to the relief of the poor; I intend to confine myself to proposing a change in the mode of administering that law, and to effect that which, I trust, will be a considerable improvement in the constitution of the body by which those laws have hitherto been administered, and to whom was confided the task of carrying them into effect. The House will remember that, in the year 1842, when the Poor Law Commission was about to expire, an Act was passed for the purpose of renewing it—that that Act continued the Commission for five years from 1842, and to the end of the then next Session of Parliament. The Commission, therefore, if Parliament should not interfere, would expire in 1848. At the beginning of the present Session my noble Friend the First Lord of the Treasury informed the House that the administration of the laws relating to the relief of the poor had occupied the very careful attention of Her Majesty's Government during the preceding recess; and he then stated what were the opinions which the Government had formed on this subject, and he shortly described the outline of the measure which he thought it would be the duty of the Government to introduce for the purpose of effecting the change which it appeared expedient to make in the

course of the present Session of Parliament. My noble Friend stated that it was the intention of the Government, after a full consideration of the question, not to propose a continuation of the existing Poor Law Commission, but in the course of the present Session to propose a measure which should involve an extensive change in the constitution of the body by which the Poor Laws were hereafter to be administered; and in accordance with that statement I now rise to move for leave to bring in a Bill, with a view to accomplish the object which my noble Friend stated to the House the Government then had in contemplation. We felt it to be our duty carefully to investigate the whole subject—to look back not only to the evidence obtained antecedently to the year 1834, but to the experience which we had been able since that time to acquire in the working of the law and the mode of its administration. The reasons for the establishment of some central authority which existed in 1834 still remain in full force. We feel now as the Government then did, that the influence of a general superintending authority cannot be safely dispensed with. Without some such authority we feel that the administration of the Poor Law cannot be efficiently carried out. I believe that no one would wish to see the old administration of the Poor Law restored. I do not believe that there exists in the mind of the public a desire that we should recur to the old system of local administration, unchecked and uncontrolled by any central authority. It is quite evident that no Act of Parliament would be sufficient to dispense altogether with such an authority. An Act of Parliament could contain fixed and permanent rules which should be applicable to every district throughout the country; but they must in that case be carried into effect in a uniform and unvarying manner. You may in an Act of Parliament lay down general principles, but you cannot take into account every varying circumstance which may from time to time arise in different districts, or even in the same district of the country. For this purpose, there must be some discretionary power created. We have felt that we ought to maintain the principle of the administration of the Poor Law established in the year 1834, which was that of combining local administration with a general superintending and central authority. But though that principle was recognised, the question for us to consider was in what manner the central authority invested with discretionary power, could most advantageously be composed. In the year 1834, when an extensive change was made in the law, it was thought that the persons who were to be invested with the discretionary powers to be exercised by a central authority ought not to form any part of the Executive Government; that they should remain free from that popular influence which must necessarily operate in a greater or less degree upon all public men—upon all who take part in carrying on the government of the country. It was at that time thought better, also, that no political changes should be allowed to affect those who were to be entrusted with these powers. Upon these grounds, the Poor Law Commission was separated from the Executive Government; and doubtless there was at the time much to be urged in favour of such an arrangement; but we must consider it now in the light of experience. Looking to the results of that arrangement, and appealing to that experience by which alone it can be tried, I think I may assert that it has not been as successful as was anticipated. The responsibility of the Poor Law Commissioners to Parliament was indirect and imperfect. The power they exercised was free from that check which is imposed upon those public functionaries who are obliged to listen in this House to charges made against them, either by Members of Parliament, or suggested by other parties; and, on the other hand, they were not enabled to explain their official conduct in this House—they were not enabled to answer their accusers face to face, and their vindication has been for this reason necessarily incomplete. They have laboured under a manifest disadvantage in this respect. When complaints as to any of the ordinary departments of the Government are made, the representative of that department is familiar with the details of the subject to which the complaint relates: he has followed them, step by step; he knows the correspondence relating to it, and remembers the reasons which led to the course that has been pursued; and, therefore, he is able to state fully the grounds of his vindication, and to offer, if not a satisfactory, at least a full and complete explanation of the conduct of the department which he represents. But, under the existing Poor Law Commission, what really happens? Complaints are made, and questions asked of the Home Secre-

tary respecting some matter connected with the administration of the Poor Law. The Home Secretary is expected to give an answer; and his first answer almost necessarily is, that he is entirely ignorant of the matter, but that he will inquire into the facts of the case, and come down on a future day and give a reply; and, consequently, either by personal conversation, or written communication, he obtains an explanation from the Commissioners; but still without a knowledge of all the circumstances which led to the act in question; and in this state he is expected to give full information to the House on the subject. This, unquestionably, leads to great inconvenience; and the administration of the law has been, to a certain degree, prejudiced by it. The principle, therefore, of the Bill which I have to propose is in accordance with what fell from my noble Friend at the head of the Government at the beginning of the Session, namely, that there shall be a general superintending authority immediately responsible to Parliament. My general proposition is, that the existing powers shall be transferred to a new Board, which in its constitution will be similar to the Board of Control. The chief Member of the Board will be called the President, and he will be responsible for the ordinary administration of the law. But associated with the President of the Board there will be certain Members of the Cabinet, *ex-officio* members of the Board, namely, the President of the Council, the Lord Privy Seal, one of the Secretaries of State, and the Chancellor of the Exchequer. There will also be two Secretaries to the Board, and it is proposed that the President and one of the Secretaries shall be allowed to have seats in Parliament. I do not say that they both shall have seats in the House; but it is essential that the Board shall be directly represented in this House either by the President or Secretary. As I said before, the powers of the Poor Law Commissioners will be transferred to this new Board, which will become responsible for the administration of the law. Now, with respect to making general rules, the present practice is, that before a general rule of the Poor Law Commissioners takes effect, it is submitted to the Secretary of State for the Home Department for forty days; and if he, within that time, does not disallow it, it has the force of law, subject, however, to disallowance by the Queen in Council, and subject to be taken by *certiorari* before the Court of Queen's Bench. When the noble Lord at the head of the Government brought this subject forward at the commencement of the Session, he proposed that general rules should not take effect until sanctioned by the Queen in Council; but on further consideration, it was thought that making the general rules by Orders in Council was open to objection. It is proposed by this Bill that no general rule shall be made unless under the signature of three Members of the Board. The power will also exist that a general rule may be disallowed by an Order in Council; and it will also be subject to legal investigation when brought by *certiorari* before the Court of Queen's Bench. Other rules and orders must be signed by two Members of the Board, or by the President and Secretary. At present, the Poor Law Commissioners are required to prepare an annual report, to be laid before Parliament. The new Board will have to present a similar report each year; but it is not intended that it shall continue to be addressed, as at present, to the Secretary of State, but to the Crown, when directions will be given that it shall be laid before Parliament. It is intended that a certain number of inspectors shall be appointed to perform the duties of the assistant commissioners. I do not wish to enter into any details on this occasion; but I must advert to the possibility of a better arrangement than that by which the assistant commissioners are confined to a particular district, and have a great extent of unions under their care. It has been found by experience, and it was the opinion of the Committee which sat on the Andover inquiry, that the existing arrangement, which confines the number of assistant commissioners to nine, is defective. Originally, the Treasury had a power of sanctioning an increase of the number; but under the Act of 1842 that power was dispensed with, and the number is absolutely limited. This has been found to be a great impediment to the working of the law, and we propose to extend the limitation of inspectors from nine to twelve. With regard to the duration of this Bill, as it must be considered, in a certain degree, to be experimental, we propose that the new Board shall only last for five years, and it will therefore be necessary, at the expiration of that time, to bring the law under the consideration of Parliament. I have now stated the general outline of this

Bill, and the reasons why we have proposed it; and I have endeavoured to avoid all topics that may lead to inconvenient discussion. The Bill will be now presented to the House; it will be printed, and I propose that the second reading shall take place this day fortnight, which will be the first open day, when there will be ample time for its discussion.

Mr. FERRAND said, it was not then his intention fully to discuss this Bill, and, indeed, he was too much indebted to the present Government for carrying the Ten Hours Bill, to say much upon this measure at present; but the right hon. Gentleman must excuse him, if he asked two or three questions. In the first place, the House and the country would require a distinct pledge, that any of the present Poor Law Commissioners should not be appointed to the new Board; and if it were the intention of the Government to appoint them to that high office, or to any office whatever, some hon. Member would be found to make a distinctive Motion to the House to decide whether, after the exposure which took place before the Andover Committee, any one of those persons was capable of discharging the arduous duties of such an appointment. He would also like to know, whether the present unions were to remain of the size they now were? If the right hon. Gentleman so intended, he could not be aware of the fact, that many poor men had ten, and twenty, and thirty, and some nearly forty miles to travel, to ask relief from the poor-law guardians; and when the poor men complained of the hardship, what was the reply given by the Commissioners at Somerset House? Why, that they might go to the poor-law guardian of the parish in which they resided; but it might happen, and did happen, that many of the guardians, during the year for which they were appointed, never went near the board. In that case, there was no one to whom the poor men could apply, but to the relieving officer. They had, therefore, to apply to a man who was perfectly indifferent to the wants of the suffering poor, and who might happen to have been elected, not from his character, or from his competence to fill the office, but because he had offered to fill the office for a less sum of money than any one else in the parish. If he had any ill-feeling against the poor men, instead of pleading their cause before the board, he might never mention it; and there was consequently the hardship towards the poor men, in making them travel to the board the distance he had described. He asked the right hon. Gentleman to take this matter into his consideration, for if the right hon. Baronet allowed the law to remain as at present, there would be the same extent of opposition to the law, and nothing but an alteration would allay it. There was another question which he wished to ask. Did the right hon. Gentleman intend that the present district auditors should remain? The auditors were more cruel, more tyrannical, and more insulting to the poor-law guardians in the country, than were the Poor Law Commissioners themselves. He would ask the right hon. Baronet whether he would object before the second reading of this Bill, to lay on the Table of the House the correspondence between the different boards of guardians, and the Poor Law Commissioners, with respect to the auditors? for if he would consent to lay it on the Table, it would expose to the House such disgraceful conduct on the part of the auditors, that it would be impossible that they could remain. He would mention one circumstance which had come under his own observation respecting these persons. In the union in which he resided, the select vestry had given directions to the constable, in case he found at night a poor person starving or destitute, and without a lodging, that he should provide food and lodging. The district auditor, however, had issued an order to prevent the relieving officer or constable giving such relief to poor persons who were found starving in the night. He had obtained an order of that House to the Poor Law Commissioners, directing them to furnish this disallowing order. These Commissioners had made a return to the House, in which the auditor distinctly stated that he had never given such an order. He went down to the place he alluded to, a few days afterwards, and he questioned the constable and relieving officer on the subject, when they produced the book in which the disallowing order was entered by the auditor himself. This auditor then, had had the audacity to make a false return to the Poor Law Commissioners, and which they had furnished to the House. On the second reading of this Bill, he would produce the document in question. Again, he wished to know whether the law was to be enforced with all that hardship and cruelty which characterized it at present. If such were the intention of the Government, at once he would tell them, that if

they persisted in such a course, they would have to contend with an agitation throughout the country, greater than that which had brought the Ten Hours Bill to a successful issue. He rejoiced to find that Her Majesty in Council was not to be called upon to sign the Orders in Council for enforcing the Poor Law. He had heard such an announcement from the noble Lord at the head of the Government with very great pain; and he now rejoiced to find that our gracious Sovereign and mother of the British people, was not to take a direct part in making harsh rules for enforcing this law. He wished also to know whether the poor, oppressed by the administration of this law, were to have the power of presenting addresses to the Crown on the subject. The men who administered this law had been placed above the law by Parliament, for their orders had the same power as Acts of Parliament. The poor ought to be governed by the law of the land, and no order of the Commissioners should have force which had not been previously sanctioned by the Legislature. He did not understand, as to whether or not the three Cabinet Ministers who were to draw up the general rules, were to have the same powers as the Poor Law Commissioners now had. [Sir G. GREY: The general rules, when sanctioned, would have the same power and effect as at present.] He proceeded to say, that the new Poor Law gave the Commissioners the power to make rules, having the effect of an Act of Parliament; but it was now proposed that this power should be transferred to three Cabinet Ministers. Could anything be more monstrous than that these Cabinet Ministers should have the power to make laws for the administration of the relief of the poor? If such a proposition was persisted in, the right hon. Baronet must not imagine that he would rest in a bed of roses. The strongest opposition throughout the country from all political parties, would be excited against such a proposal. Of all political parties in that House, or in the country, none were so unpopular as the Whigs. That three Whig Cabinet Ministers should be allowed to make laws for the poor, was one of the most preposterous notions ever proposed. If they endeavoured to do so, they would excite against them the whole of the working population of the country. He should not say more on that occasion beyond assuring the right hon. Gentleman that he would give him his most determined opposition in all the future stages of the Bill.

MR. W. MILES rose chiefly to thank the right hon. Baronet for having introduced this Bill. He believed after what had taken place within some months past, it had become imperatively necessary to renew the Poor Law Commission. When the new Poor Law was first enacted, it perhaps was advisable that the Commissioners should not have seats in Parliament; but since then great changes had taken place. That measure was now practically in operation throughout the country, and the difficulties of introducing it had therefore been surmounted. He had listened with great attention to his hon. Friend who had just sat down. He could not understand why they should get rid of district auditors, merely because one of that class would not allow the constable of a parish to give relief to any vagrant he chose to bestow it on. According to the law of England no parish constable had any such power. Generally speaking, he believed that the auditors had acted admirably, although they had not been very extensively tried. The hon. Gentleman would find that the select vestry of which he was a member, had no right to make such an order as that which he had mentioned. As regarded the proposed alterations, he was delighted that the onus of carrying out the law was not to be any longer thrown upon the magistracy of the country. The system had hitherto been objectionable in that point, for the differences between various districts were such, that although in some the law might be carried out to its strictest letter, it could not be in others. He was, therefore, glad that the right hon. Baronet had given a promise that the law was to be, as it were, flexible, and that the Poor Law Commissioners were to endeavour to suit the Administration of it to the requirements of the several localities. But with regard to the inspectors or assistant Poor Law Commissioners, he would earnestly recommend the right hon. Baronet not to put any number to which they were to be limited in the Bill. He thought it would be better to let the number be placed under the control of the Council. It would be utterly impossible to carry out the provisions of the Bill properly without a perfect supervision; and he would therefore suggest that the Council should have the appointment of such a number of inspectors as they should find necessary; and the number employed could be mentioned in the annual report

which was to be submitted to Parliament. He thought that the provisions of the Act only required that the Government should carry them out fairly, and at the same time humanely, to make them everything that the country could desire.

SIR WALTER JAMES thought that the principle that one of the new Board should have a seat in the House of Commons would be very agreeable to the country. It had frequently been the case during those discussions that of late years had taken place in the House, when the right hon. Baronet the Member for Dorchester used to be called upon to answer questions relative to the conduct of the Poor Law Commissioners, that one of those Commissioners generally sat in the gallery, and a constant communication and interchange of messages used to be kept up between the Ministerial bench and the gallery, to enable the right hon. Baronet to reply upon all the points that chanced to be raised. Now that they were going to make a change in the law, however, he thought it would be very hard to visit with punishment those Poor Law Commissioners. They were honourable men; who, whatever might be their faults, had done their best, and carried out the provisions of the Act according to the best of their judgment. He trusted that the Government would follow the course of a truly paternal one, and adopt a wise system of centralization. He was glad the number of inspectors was about to be increased; and he agreed with the hon. Member for Somersetshire in thinking that the number ought to be kept open. There was another important question regarding the poor, to which he trusted the right hon. Gentleman opposite would give his attention during the recess—it was in fact the great question of the day—the law of settlement.

MR. HUME was glad the right hon. Baronet had at length had the opportunity of introducing this Bill; but he was not satisfied that the Government had taken the best course. Hitherto they had had a Board of Poor Law Commissioners, which was virtually only one man. The business was in fact allowed to be conducted by one individual, and that individual without having any responsibility thrown upon him; and he was not sure that the new Cabinet Minister to be provided by this Bill would relieve them from that difficulty. He was inclined to think that Her Majesty's Ministers would do better to adopt a local inspection. The different boards had adopted different systems, although the original intention of the new Poor Law had been to establish a general system of management. But with regard to the question of responsibility, he was disposed to think that there should be one responsible Member of the Board to answer for its acts—the Secretary at any rate. He would hold him responsible; and they might believe him that the more they brought responsibility to bear upon some quarter or another, the better. The hon. Gentleman who had just sat down, had spoken of wisdom in legislating and of the adoption of "a wise system;" but hitherto they seemed to have been going on without wisdom of any kind. They might be right in changing the law; but he thought that the complaints hitherto made had arisen in consequence of the mismanagement of it; and in substituting another Board for the present, the right hon. Gentleman should not place the business in any of the same hands. He did not know any of the gentlemen who composed the present Board except one. He had at any rate nothing to say against them, except knowing the manner in which they had managed their business, and what the public thought of them; and he hoped the right hon. Gentleman would not place any of them upon the new Board. If he did so, he would do at the very commencement of the new system more harm than could be easily undone again. He began to have great doubts indeed of all boards. He wanted to see more responsibility thrown upon some one; and for the important situation of Secretary he hoped the noble Lord would look out for some talented individual who would make an able Secretary—one who would suit the situation, not merely one whom the situation would suit.

MR. HENLEY must say that he did not agree with what had been said in favour of the right hon. Gentleman's proposition, because he was in hopes that if any change was to take place in the Poor Law Commission, that change would at least have included, as far as possible, all those general rules which long experience had proved to be good. He was quite certain that if there was any one thing with which the great body of the people of this country were particularly dissatisfied, it was the constitution of a Board possessing the enormous powers of the present Poor Law Commissioners. He felt great doubts as to the propriety of appointing a Board, the whole of the members of which were to be composed of the Members of the exist-

ing Government, with the exception of one —whom they intended to call the President of the Board—because the inevitable consequence of such a step must be that every question which came on in that House, in which such Commissioners were concerned, would become a Government question ; and therefore any man who had any grievance or complaint to prefer in the House against them, would have to contend against the whole weight of the Government. In fact, the Government would feel that they were vitally interested in the decision, and that a censure upon the Commissioners implied a censure upon the Government. He could not see how things could be otherwise under the proposed scheme. An hon. Member had said that there really were no Government questions. Now that might be a very convenient mode of doing things, and all questions might be considered open; but he apprehended that any question which involved the conduct of the President of the Board and the Cabinet Ministers in the Board, would undoubtedly be taken up by the existing Government, and dealt with as a question in which the whole of the Cabinet was concerned. He was sure that throughout the country the Bill would be looked upon as the old system proposed under a new face. He did not believe that the present Bill would afford one tittle more of security than the present system. The great fault of the present system was, not that the supervision was not sufficient, but that it was not central. The great thing wanted was responsibility. As the law at present stood, there was no responsibility anywhere. It was in consequence of that want of responsibility that the country was disgusted by the shameful proceedings which took place at Bridgewater, Andover, &c. Under the present system, the Commissioners and guardians of the poor were enabled to escape from condemnation by means of the facilities which it afforded for shifting the responsibility from each other's shoulders; and he was afraid that they were about to continue that system by this Bill. That system was a bad one. They could never get men to look fairly and dispassionately at measures which they themselves had framed. Now, with regard to the control of prisoners, they did not leave them to be governed by the Board of Commissioners. There were Acts of Parliament containing the general outline of discipline which it was in the power of the Chief Secretary of State to fill up with such details as he might deem proper. And why was not some such course proposed with reference to the poor? Another fault in his opinion besides that of non-responsibility in the proposed system was, that they did not propose to give a negative power to the Commissioners: though they proposed to give them the power of refusing relief, yet they did not, on the other hand, propose to enable them to order relief in cases which they might deem as demanding it. He therefore looked upon this Bill as a one-sided piece of legislation against the poor. The rules which the Commissioners had drawn up three or four years ago, he considered to be good, humane, and practicable; and he much regretted that it was not the intention of the Government to embody them in this Bill. He would, of course, reserve to himself the right of stating any further objections which he might have to the measure in its future stages. He had thrown out, temperately he hoped, those evils which he had seen in the workings of the present law. He was one of those who only wished for a good supervision of the poor; he cared not who it was that supervised the poor, so long as the rights of the poor and the ratepayer were equally protected.

Lord H. VANE thought the same rule should not be applied in exactly the same manner to different parts of the country. The hon. Gentleman who spoke last must be aware how necessary it was, from the different circumstances of various parts of the country, that distinct regulations should be established for those different localities; and he did not see how that could be obtained except by vesting, in some superintending authority, a large discretion. He conceived that it would be inexpedient to propose any alteration, at the present moment, with respect to unions, until an alteration with respect to settlement was introduced; but he felt it would be inappropriate to enter further at that time into the subject. It could not be objected that this measure would have the effect of dividing the responsibility between different members of the Board, so that the responsibility would be evaded. The responsibility would rest on the head of the department; and so far from the responsibility being frustrated, as stated by the hon. Member for Montrose, it would be attained by the measure before the House.

Mr. BANKES said, the question the House had to decide was, whether the par-

ticular control which the Government proposed was the best. He did not think it was. He concurred with the hon. Member for Montrose in his objections against boards. The experience of the working of a board with regard to this very law, had been extremely unfortunate. He saw no advantage or expediency in separating the consideration of this branch of home policy from the Home Office; and if another Home Secretary had been added, charged with the care and responsibility of the administration of the poor law, it would be more satisfactory, he thought, than having a separate board. It sometimes happened that different departments of the Government held different opinions on some subjects; and if the Home Secretary were of one opinion, and the President of the Board of another, what advantage would the public have from these two conflicting jurisdictions? It would have been better if there had been one Under Secretary and one superior Secretary, both in Parliament, and who would have acted together. He did not accuse the Government of a wish to create patronage by this measure, although the public might feel some jealousy on the subject. It would be seen that there was a new creation of officers, a new President and a new Vice-President; and if they sowed the germ of this new patronage, although they might not avail themselves of it, some succeeding Government would be sure to take advantage of the patronage placed in their hands. He repeated, there was a disadvantage in separating two branches of social policy which ought to be under one head, and in creating a separate board for the purpose. The House had tried a board separate from the Government already, and it had failed. It had been said there would be great difficulty in securing a seat for the hon. Gentleman who might be Secretary of the new Board. What would be the consequence? The President of the Board would have a seat in the House of Lords; and the Board might have no representative in that House, for the Secretary of State for Home Affairs would not be its representative. He submitted to the Government whether it was not worth their reconsideration whether they would not place this new power under the authorized acknowledged head of that office to which the Poor Law naturally belonged. He quite agreed with the hon. Member for Pontefract, that the poor-law unions were now inconveniently large. Whatever might be done with the law of settlement, the first thing would be to reduce the present size of the unions.

Lord J. RUSSELL: The first point to be considered with regard to this Bill was, whether it was necessary to have a central board for the administration of the law relating to the poor of this country. Undoubtedly by far the most convenient course to the Government would be to have the law in all points, with reference to the poor, wholly administered by the local authorities, which would, of necessity, relieve the Government from all blame for any abuse that might occur in its administration. That would so far resemble the old state of the law; for whatever complaint of abuse, or of hardship suffered by any person under the old poor-law system, was made, no person ever thought of bringing any charge against the particular Government of the day for any such abuse or hardship. But, on considering this subject, I think most people will come to the opinion, that if at the time of the introduction of the New Poor Law, in 1834, the administration of that law was so difficult that it was impossible by any one plan to bring the whole country to adopt a uniform system; so at the present time, after thirteen or fourteen years' experience in the administration of that law, there still exists so great a diversity of circumstances to which that law is to be applied, that it would not be prudent, safe, or advisable, to attempt to bring every part of the country under one general set of rules. It is for that reason, therefore, that Her Majesty's Government have thought—and I doubt not the majority of the House will think—that it is necessary to have some central authority which can apply rules to particular places, relax them in particular instances, and, in short, make the rules act with that elastic power which should be found necessary in the administration of this particular law. My hon. Friend the Member for Montrose (Mr. Hume) says, "There ought to be responsibility; but responsibility is not to be found in this plan." So the hon. Member for Oxfordshire (Mr. Henley) says, "Above all, let us have responsibility;" and the hon. Gentleman who has just sat down has taken the same ground, and finds fault with our plan because it does not give responsibility. Now, upon that subject my opinion is, that the noble Lord the Member for Durham (Lord H. Vane) has taken by far a more correct view of the plan proposed by Her Majesty's Government. What we propose is,

not the formation of a board for the purpose of giving an independent and separate opinion as to the law relating to the poor, but what we propose is, that there should be some one person appointed who should have the same authority with regard to the general administration of the Poor Law which the President of the Board of Control has with regard to the affairs of India, and which the President of the Board of Trade has with regard to trade. We have thought that some Member of the Government should be informed with respect to the main points concerning the administration of the Poor Law—whether to be called a Secretary of State or an Under Secretary is a point which the House may hereafter consider in Committee; but we are of opinion that some Member of the Government should, as the head of the Board to be appointed under this Bill, be made responsible—as he will be mainly and chiefly answerable, to Parliament for anything that takes place under the administration of the law relating to the poor. The hon. Member for Dorsetshire (Mr. Bankes) says, "Why not give this power to the Secretary of State for the Home Department, or to the Under Secretary?" I entirely differ from that proposition. I have long considered this point, and having had much experience as to the duties appertaining to the Home Office, and having observed what has gone on in that office since I left it, my opinion is, that by far too many matters of detail are placed in the hands of the Secretary of State for the Home Department. What are the Secretaries of State? They are great officers, to whom great functions are confided, and great interests entrusted. The Home Secretary of State is a person who is responsible for the peace of the country, and for the due administration of the criminal law of the country, so far as the prerogative of the Crown is concerned, as advised by the Administration of the day. I think that a great officer of that kind ought to have his mind exclusively occupied with these great functions, and that it is a duty sufficiently onerous to engage his undivided attention. He ought to be ready, whenever any great danger threatens the peace of the country, to give his mind promptly to the consideration of the subject, and to be always ready to act as his responsibility for the internal security and peace of the country would require him to do. But if you impose upon him other duties; if you tell him that he must devote one portion of his time to the superintendence of the working of the Factory Bill, and another portion of his time to the regulation of the dietary of a workhouse; and if you require other portions of his time to be occupied by the details of other Bills which have been passed within the last few years, you must necessarily thereby diminish his power to give attention to those great objects which are, by virtue of his office, solely committed to his care. The duties which have sprung up from the alterations which the law has comparatively of recent date undergone, and which have devolved upon the Secretary of State for the Home Department, do not properly belong to that great officer. I think one advantage that will be gained by this Bill is, that instead of the Home Secretary being more involved by it in the administration of the Poor Law, he will be more separated from it. He will, of course, be officially acquainted with what is going on, but he will not be obliged to attend to the regulations or details of the measure. The great advantage, however, which I think will be derived from the present plan, is that which has been stated by my right hon. Friend, and which I adverted to at the commencement of the Session, namely, that you will have a person directly responsible in his place in Parliament for all that may be done under it. You will have a person charged with all the measures that may be introduced, and with all the rules which may be adopted under this new law; and, moreover, whenever any complaint shall be made or any investigation be instituted, either in this House or in the other House of Parliament, you will have a person ready to explain and defend the administration of the law, or who at least will be able to place it before either House in such a manner as shall admit of an accurate judgment to be formed of it, as to whether the party complained of has acted rightly or not. It has been objected to the appointment of this officer, that it will, in some degree, constitute the office a political one. I admit it. The administration of the law under this plan will necessarily assume a political character, so far as the appointment of the chief officers is concerned. That is undoubtedly a misfortune; but it is one which cannot be avoided, because, as the chief appointment will be held by a person having a seat in this House, there will necessarily be a political bearing upon all questions connected with his office. The hon. Member for Knares-

borough has asked the Government whether they intend to exclude altogether those persons who hold office under the present law from holding any office under the new law? I beg leave not to give any pledge upon that subject. I think the Government ought to retain to themselves the power of choosing those persons whom they may consider to be best qualified to administer the law, and most likely to obtain the public confidence. It is a great responsibility that devolves on the Government to make that choice. I recollect when the Poor Law Amendment Bill was first passed, that this very subject was made matter of serious deliberation in the Cabinet. I think the Government would be wrong to say that they would not appoint this or that person. They ought to reserve to themselves the right of exercising their own discretion in all cases of appointments to office under this law. With regard to the other questions that have been referred to, such as the size of the unions, and so on, they can be better discussed in Committee, when the details are brought particularly before the House, on the responsibility of the Government, than at the present moment, when the Motion simply is for leave to bring in the Bill.

MR. BORTHWICK said, although he could not consider that the proposal of the right hon. Gentleman was perfect, yet he was willing to admit that it was a great improvement upon the present system. With reference to some observations made of the interference of this Bill with the parochial system, he thought that that interference had proceeded so far in consequence of the ministrations of the Church being set aside; and he was satisfied the poor would be better attended to by the Church than by any other system. He admitted that the present might be an improvement on the former system; but he felt the original vice was retained—that the poor were not dealt with by the three estates of the realm, but by a subordinate department.

MR. NEWDEGATE wished to ask whether the President and Secretary of the new Board, both of whom were to be eligible for seats in that House, were to be removed from their situations when the Government went out of office? It appeared to him, that, if this were to be the case, it would, in a great degree, impair the independence of those officers, and would, at the same time, invest them with a political character, which, he thought, was most undesirable.

SIR G. GREY replied, that the only provision in the Bill on this subject was, that the officers to whom the hon. Gentleman referred should hold their offices during pleasure.

MR. FERRAND observed, that, as the noble Lord (Lord J. Russell) had distinctly declined to state whether it was the intention of the Government to appoint any of the present Poor Law Commissioners Members of the Board to be constituted under thsi Bill, he begged to give notice, that on a future day he would move a distinct resolution that the present Poor Law Commissioners were ineligible to hold office under the new Board, and that he would ground that resolution on the report of the Andover Committee.

Leave given. Bill brought in and read a first time.

House adjourned at a quarter past Twelve o'clock.

HOUSE OF LORDS,

Tuesday, May 4, 1847.

MINUTES.] PUBLIC BILLS. 1ª Factories; Threatening Letters, &c.

PETITIONS PRESENTED. From Sutton and other places, in favour of the Government Plan of Education.—From Dublin, against the Poor Relief (Ireland) Bill.—From Members of the Society for the Prevention of Cruelty to Animals, for the Abolition of Smithfield Market.—From Langfield and Stansfield, for Limiting the Hours of Labour of all Females and Minors to Ten Hours.—From Guardians of the Callan and Kilmallock Unions, against any Clause being inserted in the Poor Relief (Ireland) Bill which would throw the Responsibility of Supporting the Poor on the Occupying Tenant.—From Guardians of the Stepney Union, for the Adoption of the English Poor Law in Ireland.—From Parochial Officers of several places in England and Wales, that Boards of Guardians may be Empowered to grant Superannuation Allowances to Poor Law Officers.

THE NAVY.

The EARL of HARDWICKE said that, seeing the First Lord of the Admiralty in his place, he would ask him whether it was his intention in the course of the ensuing summer to collect a squadron for the purposes of exercise and evolution?

The EARL of AUCKLAND said, he was deeply sensible of the advantage of our ships being occasionally brought together in large bodies in squadrons for the purposes of exercise and combined movements, not only to instruct the seamen, but to instruct the officers in tactics and naval evolutions; and he was glad to be able to inform the noble Earl that a squadron would be assembled for that purpose in the

Channel in the course of the summer. One reason why it could not be assembled earlier was, that a great number of steamers were employed in the conveyance of food, and it would not be advisable to exercise a squadron without a large portion of steamers, or having fully as many as the men of war. He hoped, however, that by the end of July, the squadron would be ready for sea, even though the squadron in the Mediterranean should remain as it was, though he hoped it would not.

The EARL of ELLENBOROUGH said, that the noble Earl had expressed an opinion in favour of a squadron of evolution, and he had also expressed the hope that we should have a squadron in the Channel and another in the Mediterranean under Sir William Parker; but then he said that whether we were to have a squadron in the Mediterranean must depend on the release of our ships from Lisbon and Athens, where they were at present employed for political objects. He had no doubt that the noble Earl regretted this destination of our ships, forced as it was upon him by the superior authority of the Foreign Office. He (the Earl of Ellenborough) regretted that the object of calling together a large squadron, on board of which our officers could learn the art of war, should be abandoned for such objects as those which our fleet was now prosecuting at Lisbon and Athens. Had any good been done by Sir William Parker at Lisbon? Had the appearance of our squadron there produced the least advantage? Had they not, on the contrary, every reason to suppose that the presence of that squadron in the harbour of Lisbon had postponed the settlement of Portuguese affairs, by inducing the Government of Portugal to entertain the opinion that they could still postpone that settlement with safety to themselves? It was said that we were justified in interfering for the protection of the person of a foreign Sovereign. He thought that was a principle as to which there existed very great question; and he should, with great hesitation, admit that principle into the law of nations; because it could only be applied in the case of weak States, and not of strong States, and only where the foreign Sovereign was in a maritime town; for to interfere to protect a foreign Sovereign by means of an army would be out of the question. If a foreign Sovereign placed himself at the head of a revolution, was it to be said that he was to be free from all perils? Were we not giving protection, not only to the person of the Sovereign, but also to the persons of that Sovereign's Ministers? If we did so, we acted partially, for those who were engaged on one side, were secured against personal danger, whilst those engaged on the other side were exposed to every personal risk. He regretted that acts of cruelty had been committed by the Portuguese Government on officers taken on the field of battle. In fact, we had not succeeded, as far as he could ascertain, in any advice which we had hitherto offered to the Portuguese Government. The principle of such an interference was open to great objection. That interference employed one-third of our line of battle ships. As to the use of another third, they were sent to Athens. We had there three line-of-battle ships. That was what was called a demonstration; but there was a demonstration also on the other side, and France had there an equal if not a greater number of ships. Were those ships to be confined to a demonstration? Or were there any orders sent out for them to act? If so, were they sure that there were not orders sent on the other side? And they would not be in hands to which he would willingly trust so serious a question as that of peace or war. He wished he could be so sanguine as the noble Earl; he wished he could look to the early release of the two parts of our naval force, and their formation into one, under Sir W. Parker, for practice in the Mediterranean. He must say that this distribution of our naval force was open to a grave question, and to himself personally a subject of great anxiety. He wished that he could look to the early release of those two portions of our naval force. He most deeply regretted the present distribution of our ships. The smaller our force, the more necessary it was to concentrate it. He felt most deeply the present position of our Navy, because he knew that it did not give us that security which our naval force ought to be enabled to impart. He repeated, the smaller it was the more concentrated it ought to be, and that every means ought to be taken to make it as perfect and efficient as possible.

The MARQUESS of LANSDOWNE said, that if the noble Earl had made a Motion corresponding with the great and important considerations involved in his speech, he should have been ready to meet it; but that speech had been made incidentally with reference to some remarks on the distribution of our naval forces that had

fallen from the noble Earl who was at the head of that service; and he (the Marquess of Lansdowne) was sure that the noble Earl opposite would feel, on reflection, that the observations he had made involved the most important considerations, and the largest question of the foreign policy of this country, with the principles of our interference with the affairs of other countries, and various principles of the law of nations. He would not follow the noble Earl, at that time, into so large an inquiry, nor into the system with respect to interference which he had laid down, but would confine himself to considerations arising out of the question put by the noble Earl. He should say that there was the greatest advantage arising from the assembling for exercise of the naval force of this country, and even considerable advantage to be derived from that partial exercise of it which, from time to time, it might be the duty of the Board of Admiralty to require to take place; but he thought that if there were any advantage to be derived from that exercise, it arose from the power it gave to the Board of Admiralty to carry to any part of the world that naval force for application to the protection of British interests wherever they might be in danger. The protection of the lives and property of Englishmen ought to be the primary object of the application of the force of Great Britain; and the object of Her Majesty's Government, in the management of the naval force of this country, had been to see that in no part of the world in which broils and quarrels were taking place amongst different nations, which involved British interests, should those British interests be found without adequate protection; and they had done that in this case, not by keeping the squadron cruising in the Channel, but by stationing it in such a position as gave the means of affording adequate protection to British interests. But the noble Earl said these forces had been applied to other objects than this—objects which he was prepared to condemn. Now, when the time came for explaining to the House the objects which these forces had been called on to carry out, in any respect, beyond that object which all must admit Her Majesty's Government were bound to keep in view—he meant the protection of British interests—then would be the time for him to enter on that question. With reference to that object to which the noble Earl more particularly alluded, he would say that the interference of our force had been free from partiality, and he believed it had been conducted on the soundest principles of justice and impartiality. Our efforts up to the present moment had not been completely successful; but he hoped they shortly would be so, and he should be prepared, when this subject was ripe for discussion, to show that our ships had been ordered to their positions, not on the principle of a partial interference, still less on the principle, which he condemned as strongly as the noble Earl, of interfering for the purpose of sanctioning acts of cruelty; but that what had taken place there had taken place with reference to the interests of this country, and for the pacification of a country to which we were bound by national interests as well as by special treaties; and he could assure the noble Earl that the effect of the presence of Sir W. Parker in the bay of Lisbon, with the force at his command, had been to inspire our merchants with a feeling of security for their lives and property, and the whole country with respect for the application of the British army to objects beneficial to that country as well as to the security of our own merchants. As to the noble Earl's observations how far treaties could be binding on us to maintain the inviolability of the persons of foreign Sovereigns, that was a question which it would obviously be most inconvenient and improper for him (the Marquess of Lansdowne) to enter upon; but he must say that no person was less disposed than he was to any unnecessary interference with other States; but he did consider that in the present state of Europe Her Majesty's Government were bound to watch over what was taking place, and to assert the rights and interests of this country. When the noble Earl made a special Motion, he should be ready to enter into the whole subject.

LORD BROUGHAM asked whether M. Deitz, the King of Portugal's preceptor, had left the Tagus or not?

The MARQUESS of LANSDOWNE had no hesitation in giving his noble and learned Friend the information, that M. Deitz had left the Tagus; and, if he had any satisfaction in knowing it, he might say further, that M. Deitz was now in this country.

BANK OF ENGLAND.

LORD WHARNCLIFFE, after some prefatory remarks which were totally inaudible, put the following question, of which

he had given notice: "Whether there have been any applications to the Bank of England by the Government for advances from the former beyond the usual amount required upon deficiency bills for the current public service, during the latter half of the year 1846, and down to the present period; and if so, whether there would be any objection to producing the correspondence or communications connected therewith?"

The MARQUESS of LANSDOWNE said, in the first place he had to state that, far from complaining of the question having been put, he thought that at the present moment it was a natural and fit question to ask. With respect to the question itself, he could say distinctly that beyond the mere formal and constant correspondence on the subjects usually discussed between the Bank and the Government, and which formed part of the usual machinery of Government, there had been no correspondence whatever on the subject of the noble Lord's question; but it was true that the Chancellor of the Exchequer had had, from time to time during the last quarter, personal communications with the Bank on this subject, but none of them taking the shape of written correspondence; and in the course of these communications the Bank had been uniformly apprised of the demands—not much exceeding the demands of common years—that the Government would have to make upon them. Of the excess of securities in the Bank, of which so much had been said, he might observe, that the excess had been much more an excess of private securities than an excess of Government securities. It appeared from the returns that on the 9th of January, the private securities in the Bank were 14,400,000*l.*, and they had risen on the 14th of April to 18,627,000*l.*; and at the moment when the advances of the Bank to the Government had been the highest—on the 8th of April, namely—the amount of private securities was 18,136,000*l.*, being many millions increase beyond what it was at the commencement of the year. If there was anything to lament at this moment with regard to the monetary affairs of the country, it was the pressure to which the noble Lord had referred; but considering the variety of causes which had occurred calculated to give rise to that pressure—considering the extraordinary state of the country, the great demand for the importation of food—instead of being surprised that any such pressure should have come upon the Bank, his only surprise was, that it had not been felt much sooner. Had precautions been taken at an earlier period, the pressure would have been less severe; he trusted, however, that it would soon be overcome; and he could confidently state that it was the anxious desire of the Government and the Treasury not to add to the difficulties of the country by any interference with the management of the Bank, but to leave that body a sole control over its own affairs.

LORD BROUGHAM was of opinion that, considering the very extraordinary circumstances that had occurred, it was not in the power either of the Bank or of the Government to have prevented the crisis that had happened, which might fairly be traced to the failure of the potato crop, to the vast importation of foreign corn, and to the continual drain on the money market for supplying capital to the carrying on of railways, which amounted in less than six weeks to a sum of 3,000,000*l.* These were circumstances which must necessarily lead to a deranged state of the exchanges.

LANDED PROPERTY (IRELAND) BILL.

The MARQUESS of LANSDOWNE, on moving the Order of the Day for the House to go into Committee on this Bill, observed, that their Lordships having permitted the Bill to be read a second time without any explanation of its provisions, he felt that it was but respectful to their Lordships, although he did not anticipate any objection to the measure, to state briefly its general purpose and object. The Bill was founded, he need not tell their Lordships, upon the circumstances which were peculiar to the present state of Ireland; and after the various discussions which had taken place in Parliament upon the subject of the condition of the people and the agricultural industry of that country, he believed there were but few of their Lordships who had not arrived at the opinion and conviction that vast improvements were required to be made in the agricultural management of that country; and that, upon an improved system of cultivation, by an increased application of capital and skill, the future state of prosperity and even safety of Ireland must mainly depend. It was in proportion to the stimulus the Legislature might be able to apply to this improved system, and to these undertakings, by the investment of capital in the cultivation of the land, that they could anticipate effecting any remedy for the pre-

sent state of things, or derive any collateral benefit from those other measures which their Lordships were now engaged in carrying forward; measures which it was admitted on all hands would require the cordial support of their Lordships, in order to their being rendered effectual to the promotion of the general interests of Ireland. After all the reflection which he had been able to give to this subject—putting aside every prejudice which he did not deny entertaining in favour of that part of the United Kingdom—he was deeply convinced that it was by the agency of the landed proprietors only that the stimulus could be applied for introducing an extended system of agricultural improvement in Ireland. If that improvement was not to be carried into effect by the proprietors of the land, he knew not by what means that improvement could be given to the condition of the population of the country, which was requisite for the purpose of providing for their subsistence. Their Lordships could hardly think that in the present state of agricultural destitution in Ireland any improvements could be introduced by the tenants of the land; and as little did he suppose that their Lordships thought it would be competent to the Crown itself to undertake, even if authorized by Parliament, a system of improvement to be carried into effect by the Commissioners of Woods and Forests, whatever confidence their Lordships might feel in the administration, or however much they might wish to see discharged the duties of applying machinery to drainage, and to the making of improvements of every kind for one great object, and under one authority. The obvious solution, therefore, of the difficulty in which their Lordships were placed was that of giving, under the circumstances of great disadvantage which they at the present time experienced, aid and assistance to the landed proprietors, by which they might have additional motives for exerting themselves in the improvement of their own estates. Their Lordships were well aware, for it had been repeatedly urged in the course of the discussions on this subject, that the proprietors of Ireland were not in a condition, with respect to the possession of capital, to command the means by which they could at once, and at one stroke, in one year, commence a system of improvement. If they were to attempt to do so, it would deprive them of their income, and in case of being in debt would deprive them of the means of paying the interest upon that debt; in short, it would impose upon them duties which none but capitalists could undertake to discharge even in this country. If such would be the state of things even in England generally, their Lordships well knew that it was the case very peculiarly with respect to Ireland. Their Lordships knew that a very large portion of the property in Ireland was very deeply mortgaged, so that it was impossible for persons, deriving nothing but a life income, subject to charges, from property which they only nominally possessed, to devote the sum of money necessary to introduce a change in the whole system of cultivation of the country; to substitute new modes for old; new machinery for that which had been hitherto in use, and so to act upon the industry of the labourers of the country as to effect a total revolution in their habits and social condition. But their Lordships must be convinced that nothing short of this would really improve Ireland, or would give satisfaction and security there; nothing short of this would prevent Ireland for the future from being what it had unhappily been in the past, a weight and an incubus upon the resources of this country. It would be taking a very narrow view of the subject, if their Lordships were to consider that by passing this Bill they were giving assistance to the Irish proprietors alone. It was not their interest only that they were considering, but the interest of the whole country; for the whole population would benefit by the application of the money proposed to be advanced, and the repayment of which was secured by the provisions of this Bill. It was in the largest sense for the interest of England itself that their Lordships were legislating, and it was with this view that he now proposed to their Lordships the measure which had been prepared to remedy the evil that so universally prevailed in Ireland. The noble Marquess proceeded to state the nature of the provisions of the Bill, the chief purpose of which was to carry into more complete effect the Bill of last Session, which authorized the advance of the sum of 1,000,000*l.* By that Act the advances were made to certain descriptions of estates, whereas this Bill extended the benefit of the measure to all kinds of landed estates, care being taken to secure the principal and interest, the 1,000,000*l.* being increased to 1,500,000*l.* It was proposed that for loans so advanced an interest of $6\frac{1}{2}$ per cent should be charged on the pro-

perty; and it was hoped that not only the interest but the principal would, within a few years, be repaid. As this measure was intended to be universal, and to apply generally throughout the country, it became desirable that it should be made applicable to the circumstances of a vast variety of individuals; the provisions of the Bill had been therefore so framed that they fitted themselves to the case of almost every description of property in Ireland, and it would be in the power of every proprietor to avail himself of them. The greatest anxiety was felt in Ireland for the passing of this Bill; as a proof of it, abundant applications had been already made for assistance under its provisions. In many parts of Ireland, upon the speed in which that assistance was afforded, would depend the utility of the measure. The noble Marquess read a letter from a clergyman, who stated that he was almost worked off his legs in the discharge of his official duties as chairman of a board of guardians, and that his only hope of effectual aid to the inhabitants of his parish was in the landlords obtaining assistance under this Bill. At present not 5*l.* a week was paid in wages amongst a population of 4,000. The object of the Government being that these loans should be spread over as wide a surface as possible, it not being expedient to confine the advances to any one spot, a clause was introduced which provided that no person should be allowed to borrow more than 20,000*l.* The noble Marquess concluded by moving that the Order of the Day be now read.

The DUKE of WELLINGTON: My Lords, during this Session of Parliament I have contributed my support to various measures which have been proposed by Her Majesty's Government with a view to apply a remedy to the misfortune which has occurred within the last year in Ireland; but I must say, that, of all the measures which have been proposed by Her Majesty's Government, that one which the noble Marquess has just adverted to, and the provisions of which he has now stated to your Lordships, is the one which, I believe, in conjunction with the Bill the second reading of which was proposed by my noble and learned Friend (the Lord Chancellor) a few nights ago, best calculated to secure the object Her Majesty's Government are seeking to attain—a Bill which appears to me more calculated than any other measure permanently to lead to the improvement of Ireland, and to relieving it from the effects of that great misfortune by which it has recently been visited. My Lords, I am not at all desirous of throwing any impediment in the way of this Bill; and I am perfectly certain that there are many of your Lordships much more capable than I am of stating the benefits which this measure is calculated to produce; but I am anxious to propose a clause in the Committee on the Bill, which I think would contribute to its good working, and remove a practice in the social system of Ireland which, in my opinion, has tended greatly to aggravate the misfortunes of that country, if it has not been the principal occasion of them. The practice I refer to is that of making land supply the place of the circulating capital of the country, and pledging the land for the purpose of paying the wages of the labourer. I say, my Lords, that this is one of the causes and one of the greatest aggravations of the existing evils of Ireland; and the consequence is, that the Government has been obliged to come forward to give relief by employing large numbers of the labourers of the country upon public works. Such a practice as this is most injurious; for those men who require the services of the labourers let them land; and, instead of paying them wages as labourers, they oblige the individuals who take the land to work out the rent. The consequence is, that the labourer, who is wholly dependent for his subsistence upon the produce of his land, finds that his labour is mortgaged for the rent, and at the same time, being without assistance, when his strength fails him he has no resource, and is compelled to resort to the Government works. And what becomes of his employer, the farmer or the small gentleman who employs him, under this system of making land the circulating medium of the country and the wages of labour? When difficulties occur, and his capital fails, and his labourers are incapable of work, he has no resource; he is not in the habit of laying by capital—he has none—and he can employ no labour. Thus distress, when it comes, affects everybody, and the Government is compelled to employ the labourers of the country, and to give them food. Under these circumstances, my Lords, it appears to me that you cannot apply an effectual remedy to the evils of Ireland, unless you enforce the necessity of paying the wages of the labourer in the current coin of the realm: and in the Committee on the Bill I shall

propose a clause requiring that all bargains for the wages of labour shall be made in the current coin of the realm, and that the payment of wages shall be enforced in the same, and that the labourer shall have a claim for the payment of his wages in the current coin of the realm, notwithstanding any bargain with his employer to the contrary. I will lay this clause upon your Lordships' Table, and I will move it either in the Committee or on the bringing up of the report.

The MARQUESS of LANSDOWNE said, he might perhaps be permitted to observe, in reply to the noble Duke who had favoured them with his suggestions on this Bill, that he entirely agreed with him in the principle of his clause; but at the same time he thought it would be better to defer the consideration of the clause until the bringing up of the report. He had no opportunity of seeing the Amendment suggested until the last half hour; and he would not therefore refer farther to it for the present, except to observe that while he agreed in the principle involved in it, he could not feel very sanguine as to the practicability of enforcing it in practice.

EARL FITZWILLIAM said, he entirely agreed with the noble Duke that the Bill before their Lordships, and the other Bill which had been presented by his noble and learned Friend on the woolsack, were, as far as they went, most valuable measures for the improvement of Ireland. His noble Friends near him might, therefore, be assured that he intended to give no opposition to the Bill, and that his object would be rather to improve and extend the Bill than the contrary. He heard with great satisfaction the view taken by his noble Friend who moved the Committee on the Bill of the exigencies of the country, as there was no one more able to appreciate them than his noble Friend. But he would remind their Lordships that they should bear in view the fact, that they were called upon to contemplate in one year a great revolution in the state of Ireland. He agreed with his noble Friend that this Bill was a step in the right direction; but he could not consider it as one going to any decisive length. At a time when the Government proposed that the landed property of Ireland should be obliged, without assistance from any other quarter, to support the labour of the country, he could not think that the advances for the improvement of landed property in that country ought to be limited to 1,500,000*l*. He considered that no effectual good would be done unless this country consented to go farther with those advances.

The EARL of WICKLOW differed from his noble Friend who just sat down, for he thought the measure was an act of great liberality on the part of the Government. He even believed that the Bill would be found more efficient by having the amount to be advanced under it limited, than if it were fixed at an enormous amount in the first instance, as in the latter case the desire to obtain a part of the loans at once was not likely to be so great as it would probably now be. His principal object in rising was to point out to Her Majesty's Ministers what he thought was an unintentional omission in the Bill. The omission to which he alluded was, that the drainage works commenced under Mr. Labouchere's letter were not included under the Bill; while those commenced under Mr. Trevelyan's letter were included, though the former were commenced by the landlords, with the most benevolent motives, to meet the wishes of the Government and of the country in providing employment for the people; while the latter were attended with advantages which were not comprised under Mr. Labouchere's letter. He should add, that the Bill had his entire concurrence, and that he thought it a highly beneficial measure.

The MARQUESS of LANSDOWNE said, he considered the works referred to by the noble Earl included in the Indemnity Bill, which was one of the measures now before their Lordships.

LORD MONTEAGLE said, he thought the explanation of his noble Friend satisfactory, as he fully concurred with his noble Friend behind him (the Earl of Wicklow), that the works to which he had alluded ought to be included under the Bill. He agreed that the Bill was of great public importance; but he begged their Lordships to bear in mind the real extent of the benefit to be conferred under it. In the first place, the entire amount to be advanced under the Bill was to be lent on the highest class of security, that of mortgage on the landed property of the country; and, in the next place, he had to remind them that the expenditure of a million of this amount had already received the sanction of the Legislature, so that the additional advances authorized by this Bill did not exceed 500,000*l*. He considered the clause proposed by the noble Duke as of the utmost importance,

with a view to the improvement of the condition of the labouring classes in Ireland. He also wished to suggest some Amendments, which he would submit for the consideration of their Lordships when the Bill got into Committee. They should bear in mind that the country was in a state of transition from a potato diet to a cereal diet; and this transition would necessarily require a much greater extent of mill power than was now to be found in Ireland. He thought, therefore, that they could not confer a greater benefit on the farmers than enabling them to procure the advantages of small grist mills. He admitted that Government aid for the erection of large mills might be fairly considered as an interference with commercial enterprise; but he was disposed to regard the erection of small mills in parts of the country where but little or no mill power was now to be found, as not open to the same objection. He would, therefore, take the liberty of proposing the introduction of a clause to the effect that in such parts and districts of Ireland as should be shown to the satisfaction of the Commissioners to be deficient in mill power, such mills as he described might be erected. He would also move that the erection of small stores, subject to the same limitations as in the case of mills, be included, and likewise the erection of farm buildings, as had before been suggested in the House of Commons. He had only, in addition, to call their Lordships' attention to the 16th Clause in the Bill. That clause limited the advances to land which the Commissioners would report as likely to pay six and a half per cent on the amount expended in improvements; but there were, he believed, parts of the country, especially in Connaught, where much land was to be found well suited for reclamation, but which was not likely to yield six and a half per cent in the first instance. He, therefore, objected to this limitation as injurious. He did not bring forward those Amendments in the shape in which they had been brought forward in the House of Commons. He submitted them in an amended form, and in the Committee he would take the liberty of asking their Lordships to agree to them.

The DUKE of RICHMOND agreed with the noble Lord (Lord Monteagle) as to the 16th Clause. He approved also of the noble Lord's Amendment to include farm buildings amongst the objects of the Bill; but he suggested that a proviso should be added to compel the occupier to insure such farm buildings against loss or accident by fire. The object of the Bill was not to give a greater rent to the landlord, but to induce the adoption of an improved condition of agriculture.

LORD BEAUMONT would be sorry that the House should agree to any proposal by which, in the money transactions between the landlord and the Government, the whole of the benefit should go to the tenant. The tenant would thereby have every inducement to remain upon the land, which, in Ireland, was not desirable, while the landlord would continue, as at present, to have little or no interest in the condition of his estate. The Bill before the House, good as it was in principle, and just and generous as it was, would in many parts of Ireland be of no use unless a totally different method of tillage were adopted, and the system of small farms abandoned. A rotation of crops, cleaning the land, consuming the straw and turnips on the premises, were essential to good farming, and could only be adopted on proper-sized farms. He did not think their Lordships would derive half the advantage which might be derived from the Bill, unless they accompanied it with some measure that would put an end to the system of pertinacious adherence to the land, and that desire which the Irish people always evinced to hold some portion by way of farm. This could only be done by severe laws against subdivision and subletting, inserting stringent clauses in the lease, and giving effective means to enforce their execution. There ought to be not only some inducement given to the landlords to build farm houses; but there ought to be also some preventive measures adopted to hinder tenants from overloading the land with small tenements. In short, the landlord must have control over his property, and be able to eject a bad tenant and select a good one, all which he did not possess at present before any good could be derived from this Bill or any other measure for assisting in the cultivation of the soil.

LORD STANLEY suggested that their Lordships should at once go into Committee on the Bill, and discuss the details in due course.

House in Committee.

LORD MONTEAGLE moved some Amendments relating to the inclusion of the erection of farm buildings and corn mills, under the head of "improvements."

The EARL of CLARE called their Lord-

ships' attention to the allegations of a petition that had been presented to the House of Commons on the 26th of January last, from a barony in the county Clare. The principal complaint of the petitioners was, that there was not a sufficiency of corn mills in their district, so that they had not means of preparing their corn for bread. He thought that part of the money to be advanced by Government ought to be laid out in the erection of corn mills; and, as to the erection of farm buildings, he thought it was absolutely essential.

LORD STANLEY believed, that the erection of farm buildings had been originally intended to form part of another measure than that before the House. That other measure (the Reclamation of Waste Lands Bill) had, however, been, as he considered very wisely and properly, dropped by Her Majesty's Government. It would have only raised great expectations which could not have been fulfilled; but he hoped that their Lordships would consent to invest Commissioners under the Crown with increased powers of making advances for the erection of farm buildings as well as other improvements, and also for the erection of corn mills. They should recollect that the potato, which was the standard food of the Irish people, having been destroyed, and it having been found necessary to introduce a new description of food, it had become absolutely necessary that corn mills should be supplied for the preparation of the grain.

The EARL of LUCAN supported the Amendments.

The MARQUESS of LANSDOWNE said, there were whole districts in Ireland destitute of any milling convenience, although vast power of water was rushing uselessly in every direction, which might be made a source of immense wealth. He must own that he was sorry the Bill had come up from the other House without having had "corn mills" inserted in it; and he would have no objection to the adoption of that portion of the noble Lord's Amendments under certain limitations. He also entertained considerable doubts with regard to the farm buildings. He would not promise to approve altogether of the Amendment of his noble Friend (Lord Monteagle) upon that subject; but he thought it might be entertained with certain limitations. He would agree, therefore, to the insertion of "corn mills;" and in bringing up the Report, he would see if it were possible to set such limitations to the terms of the Bill as should enable them to include farm buildings.

First Amendment agreed to.

On the next Amendment,

LORD MONTEAGLE said, that if the question were one of absolute rejection or adoption, he would divide the House upon it; but as his noble Friend had expressed his intention of taking the matter into consideration before the next stage of the Bill, he did not think it would be well to force a division at present.

Clauses agreed to. Bill passed through Committee.

House adjourned.

HOUSE OF COMMONS,

Tuesday, May 4, 1847.

MINUTES.] PETITIONS PRESENTED. By Mr. C. Buller, from Members of the Liskeard Literary Institution, in favour of the Health of Towns Bill.—By Mr. Pulsford, from Robert Allen Kidley, of Hereford, in favour of the Medical Registration and Medical Law Amendment Bill.—By Sir R. Ferguson, from Members of the Parochial Board of Dysart, against the Registering Births, &c. (Scotland) Bill.—By Mr. O. Gore, from Andrew Moseley, of 53, Great Ormond Street, Queen Square, London, suggesting a Plan for Smithfield Market.

DUBLIN IMPROVEMENT BILL.

Upon the Order for the Second Reading of the Dublin Improvement Bill,

MR. GROGAN moved as an Amendment that the Bill be read a second time that day six months. Despite of the petition presented by the right hon. Gentleman (Mr. Labouchere), a vast majority of the wealth and intelligence of the city of Dublin were opposed to the Bill; and that petition could not really be signed by ratepayers, for the number of ratepayers in Dublin was only 18,000, whereas the petition presented by the right hon. Gentleman was signed by 35,000 persons. The Commissioners appointed to consider the propriety of the changes contemplated by the Bill, had strongly opposed it; and the evidence heard before them fully justified the conclusions to which they had come. It was a mistake to suppose that the ratepayers would be relieved from taxation by the operation of the present Bill. The hon. Gentleman concluded by making his Motion.

MR. M. J. O'CONNELL contended that at that hour in the evening it was impossible that the House could come to a sound decision. So much noise and conversation prevailed in every part of the House, that

nothing could be heard of the statements made at either side. He defended the Bill, and contended that they ought to consider it in Committee. He thought that a sufficient case had been made out for the House to go into Committee on the Bill—a Bill which he was of opinion would confer much advantage on the city of Dublin. No doubt faults might be found with the management of some of the wards; but the division of the six wards on the north side of the river was not for the purposes that had been stated; and he doubted whether the reconstitution of the wards would satisfy the persons who complained.

MR. GREGORY said, that if the House would look at the evidence which had been laid upon the Table, it would not hesitate to reject the Bill. The wealth and intelligence of Dublin were against the Bill, and the petitions got up in favour of it were the work of imposture. To show the practices had recourse to, an Orange placard (which the hon. Gentleman produced), calling upon Protestants to oppose the Bill, and, appealing to the sectarian and religious bigotry of the citizens, had been posted on the walls of Dublin. This placard, apparently put forward by the Protestants against the Roman Catholics, had naturally excited the hostility of the latter; but it turned out that the placard had not been put forward either by Protestants or by the genuine opponents of the Bill, but by the parties connected with Conciliation Hall, with a view to throw odium and discredit on the opponents of the present measure. This episode manifested the system adopted by its supporters. The corporation of Dublin had performed its duties in a sectarian spirit, and ought not to be trusted with the vast powers granted by the Bill.

MR. LABOUCHERE supported the second reading of the Bill, with a view to sending it before a Committee up stairs. The two hon. Gentlemen opposite who opposed the measure, expressed their opinions as rather unfavourable to the existence of municipal corporations in Ireland, of the same nature as those which were possessed by the great towns of England and Scotland. Now, however respectable the persons in Dublin might be who opposed this Bill, he would vote for the second reading, because he thought that Dublin had a right to the same municipal institutions as the great towns of England and Scotland. He thought it would be unseemly and dangerous and improper to deny to Dublin the same advantages which other great cities of the empire enjoyed as regarded municipal institutions. On that account, and without pledging himself to support the details of the measure, he would vote for it in the present stage, in order to send it before a Committee. He would admit that the corporation had acted on too exclusively political principles — he regretted that in such an important city as Dublin, which ought to set an example to the rest of Ireland, sectarian feeling should be exhibited. But he would ask was it surprising that such feelings existed? What corporation was it which the present corporation succeeded? It was a corporation which exhibited religious and political feelings of the most exclusive kind. Was it not then human nature that such a system should produce reaction, and that when those who had been so long excluded came into power they would exhibit some of those feelings? But he would trust to public opinion and experience to correct that, and he would not allow it to be made in his mind a reason for restricting municipal rights. The corporation of Belfast applied some few years ago, when the right hon. Baronet opposite was in office, for powers of a more extensive kind than those proposed by this Bill, and they were granted; nor was the exclusive character of the corporation of Belfast rendered a cause for refusing the demand of that corporation. The corporation of Belfast was of such an exclusive character that there was not a single Catholic admitted to the corporation since the passing of the Municipal Reform Bill; and the Protestants admitted into it were all of Conservative opinions. Did he therefore mention that as a reason for depriving Belfast of the advantage of municipal institutions? Far from it, for he was prepared to bear with some abuses of that kind for the purpose of obtaining the good that resulted from such institutions. There was a great principle involved; and he hoped that it would not be made a question of petty local politics, but that they would show a desire to give to Ireland not only the name but the reality of equal institutions with ourselves. If the Bill were sent before a Committee, it was his intention to move that the Under Secretary of State for the Home Department be named on the Committee, with a view to directing inquiry as to the public offices through whose agency the functions of the local boards were exercised.

MR. SHAW would detain the House

but a few minutes in stating his reasons for voting against the second reading of the Bill. Considering his connexion with the corporation and the city of Dublin, he would rather not have voted under ordinary circumstances; and for the many years he had been a Member of that House, he could not recollect that he had ever voted against the second reading of a private Bill. But the truth was, that Bill was not brought forward under ordinary circumstances, and that it could not fairly be called a private Bill. He disclaimed every party and political motive in opposing it. He would not be tempted by the observations of the right hon. Gentleman (Mr. Labouchere) to compare the exclusiveness of the old with that of the new corporation of Dublin. He would not refer to the constitution of the present corporation; for, constituted how it might be, he did not believe they would be competent to exercise the great powers that Bill would confer; and sure he was, that the question whether the functions at present discharged under old charters and Acts of Parliament by various important boards in the city of Dublin, should be suddenly transferred to the new corporation, was one of public policy that could not properly be decided by means of a private Bill. Then, again, the principal reason why the second reading of a private Bill was seldom refused by the House was this—that, as the parties brought it forward at their own private expense, it was considered but reasonable to give them a fair hearing before a Committee. Such, however, was not the case in the present instance; for the Bill was brought forward at the expense of a borough rate raised upon the city of Dublin at large, to be paid in a very large proportion by the opponents of the measure; for he had never known a subject upon which greater unanimity of opinion prevailed in the city of Dublin, without distinction of party, politics, or religion, than there did against that measure. The Duke of Leinster headed the list of the representatives of property in Dublin in subscribing to oppose the Bill. The Crosthwaites, the Latouches, the Guinnesses—all the mercantile firms of liberal politics—were to be found in the same list. A paper had just been put into his hand, from which it appeared that the Council of the Chamber of Commerce, composed of twenty-six persons, ten of them being Roman Catholics, and seven others of politics opposed to Conservative, making seventeen out of twenty-six of what were called liberal politics, were the leading opponents of the measure. He would defy any Gentleman opposite who supported the Bill to name any one banker, merchant, independent trader, or resident of weight or property in the city of Dublin, of any politics, party, or sect, not connected with the corporation, who approved of the measure. They had, on the contrary, almost universally subscribed their names, with considerable sums of money annexed to them, for the purpose of opposing the Bill; and it really amounted to this, that those persons, representing nearly the whole property of Dublin, would have, first as ratepayers, to pay for the promotion of the Bill, and afterwards, as private individuals, to put their hands into their pockets and bear the whole cost of resisting it before a Committee; in short, the measure had none of the characteristics of a private Bill, and he trusted the House would not allow it to be treated or read a second time as such.

MR. SHEIL had presented a petition from Dublin, signed by 9,000 persons, in favour of this Bill, and representing property of the value of 221,000*l*. The facts stated in the report of the Commissioners who visited Dublin were conclusive as to the necessity of a change. The Commissioners found that the different boards intrusted with the sanitary charge of the city did not do their duty. The sewers of Dublin were in a lamentable state. The next fact was, that a great saving to the public would be effected by concentrating all the powers now held by different boards into one body. There must then be a change; and the next question was, in whom these powers should be invested? Some hon. Members proposed to neutralize the municipal authorities; but it should be remembered that the corporation of Dublin were elected by a 10*l*. franchise, and that a franchise to that amount was a condition on which the Conservative party agreed to give a municipal corporation to Dublin. The corporation must, therefore, be held to be the representative of the ratepayers of Dublin; and the House was bound to invest them with the same powers which they gave to corporations in other parts of the kingdom. Now Manchester, Liverpool, Glasgow, and Chester, all had the same powers that were sought to be given to the corporation of Dublin by this Bill. Would they withhold from the metropolis of Ireland, with a 10*l*. franchise, the same powers which were exercised by towns in

England and Scotland, having only a *5l.* franchise? He did not think hon. Gentlemen opposite, who remembered the declaration of the right hon. Baronet the late Prime Minister at the end of last Session, would concur in throwing out this Bill. That right hon. Gentleman said—"He would extend to Ireland all the rights enjoyed by England; all the civil, political, and municipal rights of England."

The EARL of LINCOLN thought it necessary for the House to reflect whether, by passing the measure before them, they would be assimilating the law of Ireland with that of England. By the English Municipal Corporation Act, boards for sewerage and drainage might, if they thought fit, hand over their powers and functions to the town-councils; but it was not compulsory upon them to do so. Two years ago, when preparing his Bill on the health of towns, he made some inquiries as to how far this voluntary amalgamation had taken place. He found that in very few cases had the local boards made over their powers to the town-councils. In almost all the large towns in England the functions sought to be intrusted to the corporation of Dublin, were exercised by paving and local boards. If the House thought it right to give these powers to the corporations of Ireland, let them do so, but not by a private Bill. He had shown that this Bill proposed, not an assimilation between the practice in England and in Ireland, but a wide deviation from it, when it gave to the corporation of Dublin compulsory powers which the noble Lord opposite had not thought it right to confer upon town-councils in England. He thought that, considering the feeling existing in Dublin respecting this Bill, it ought to be withdrawn. Let the right hon. Gentleman (Mr. Labouchere) bring the opposing parties together, and then produce a Bill next Session on the part of the Government which should be free from the objections felt to this measure by the ratepayers of Dublin.

MR. DILLON BROWNE observed, that this was a subject deeply affecting the rights of the Irish people; for the question was, whether the same municipal institutions which were enjoyed by the people of this country were to be extended to them. If they were anxious to maintain the union between the two countries, they would give the people of Ireland similar municipal institutions to those which had been established in this country.

The House divided on the question that the word "now" stand part of the Question:—Ayes 108; Noes 120: Majority 12.

List of the AYES.

Aldam, W.	Lascelles, hon. W. S.
Antrobus, E.	Lawless, hon. C.
Armstrong, Sir A.	Layard, Maj.
Arundel and Surrey, Earl of	Le Marchant, Sir D.
Austen, Col.	Loch, J.
Baine, W.	Macaulay, rt. hn. T. B.
Bannerman, A.	M'Carthy, A.
Baring, rt. hon. F. T.	M'Taggart, Sir J.
Barnard, E. G.	Maher, N.
Barron, Sir H. W.	Maitland, T.
Bellew, R. M.	Mangles, R. D.
Bernal, R.	Marshall, W.
Bouverie, hon. E. P.	Marsland, H.
Bowring, Dr.	Moffatt, G.
Bright, J.	Monahan, J. H.
Brotherton, J.	Morris, D.
Brown, W.	O'Brien, C.
Buller, C.	O'Brien, T.
Butler, P. S.	O'Conor Don
Byng, rt. hon. G. S.	O'Ferrall, R. M.
Callaghan, D.	Ogle, S. C. H.
Cayley, E. S.	Parker, J.
Chapman, B.	Pinney, W.
Cholmeley, Sir M.	Plumridge, Capt.
Colebrooke, Sir T. E.	Price, Sir R.
Conyngham, Lord A.	Rawdon, Col.
Crawford, W. S.	Rice, E. R.
Dawson, hon. T. V.	Rich, H.
Dennistoun, J.	Romilly, J.
Duncan, Visct.	Ross, D. R.
Duncan, G.	Russell, Lord J.
Duncombe, T.	Russell, Lord C. J. F.
Dundas, Sir D.	Rutherfurd, A.
Ebrington, Visct.	Scrope, G. P.
Escott, B.	Sheil, rt. hon. R. L.
Evans, W.	Smith, B.
Evans, Sir De L.	Smith, rt. hon. R. V.
Ewart, W.	Somerville, Sir W. M.
Ferguson, Col.	Stansfield, W. R. C.
Forster, M.	Stanton, W. H.
Gibson, rt. hon. T. M.	Strickland, Sir G.
Gisborne, T.	Strutt, rt. hon. E.
Hall, Sir B.	Tancred, H. W.
Hatton, Capt. V.	Thornely, T.
Hay, Sir A. L.	Towneley, J.
Heron, Sir R.	Trelawny, J. S.
Hill, Lord M.	Tufnell, H.
Howard, hon. C. W. G.	Villiers, hon. C.
Howard, P. H.	Ward, H. G.
Hume, J.	Watson, W. H.
Humphery, Ald.	Wawn, J. T.
Hutt, W.	Winnington, Sir T. E.
James, W.	Wyse, T.
Jervis, Sir J.	TELLERS.
Labouchere, rt. hon. H.	O'Connell, M. J.
	Browne, R. D.

List of the NOES.

Acland, T. D.	Bankes, G.
Adderley, C. B.	Beckett, W.
Archdall, Capt. M.	Bentinck, Lord G.
Arkwright, G.	Bentinck, Lord H.
Ashley, hon. H.	Beresford, Maj.
Bagot, hon. W.	Blackburne, J. I.
Bailey, J., jun.	Boldero, H. G.
Baillie, H. J.	Bowles, Adm.

Bramston, T. W.	Jones, Capt.
Brisco, M.	Knight, F. W.
Brooke, Lord	Lawson, A.
Bruce, C. L. C.	Lennox, Lord G. H. G.
Buck, L. W.	Lincoln, Earl of
Burroughes, H. N.	Lindsay, Col.
Carew, W. H. P.	Lockhart, A. E.
Chichester, Lord J. L.	Lowther, Sir J. H.
Clayton, R. R.	Lygon, hon. Gen.
Clive, Visct.	Mackenzie, T.
Collett, W. R.	Manners, Lord C. S.
Compton, H. C.	Manners, Lord J.
Corry, rt. hon. H.	Masterman, J.
Cripps, W.	Maxwell, hon. J. P.
Deedes, W.	Mildmay, H. St. John
Denison, E. B.	Munday, E. M.
Dick, Q.	Newdegate, C. N.
Disraeli, B.	Newport, Visct.
Douglas, Sir C. E.	Newry, Visct.
Douglas, J. D. S.	O'Brien, A. S.
Duckworth, Sir J. T. B.	Packe, C. W.
Duncombe, hon. O.	Pakington, Sir J.
Egerton, W. T.	Palmer, G.
Fielden, Sir W.	Plumptre, J. P.
Ferguson, Sir R. A.	Prime, R.
Ferrand, W. B.	Rashleigh, W.
Fitzroy, hon. H.	Repton, G. W. J.
Floyer, J.	Round, C. G.
Fuller, A. E.	Round, J.
Gaskell, J. M.	Seymer, H. K.
Gladstone, Capt.	Shaw, rt. hon. F.
Gooch, E. S.	Sheppard T.
Gore, M.	Shirley, E. J.
Gore, W. O.	Shirley, E. P.
Gore, W. R. O.	Smith, A.
Goring, C.	Somerset, Lord G.
Granby, Marq. of	Spooner, R.
Grimsditch, T.	Sutton, hon. H. M.
Halford, Sir H.	Taylor, E.
Hamilton, Lord C.	Tollemache, J.
Hanmer, Sir J.	Tower, C.
Harris, hon. Capt.	Trotter, J.
Heneage, G. H. W.	Verner, Sir W.
Henley, J. W.	Villiers, Visct.
Hill, Lord E.	Vivian, J. E.
Hodgson, R.	Vyse, H.
Hope, Sir J.	Walpole, S. H.
Hotham, Lord	Walsh, Sir J. B.
Houldsworth, T.	Yorke, hon. E. T.
Hudson, G.	Young, J.
Hussey, T.	
Ingestre, Visct.	TELLERS.
Inglis, Sir R. H.	Gregory, H. W.
Jocelyn, Visct.	Grogan, E.

Second reading put off for six months.

FEES IN COURTS OF LAW.

MR. WATSON moved for—

"A Select Committee to inquire into and report to the House on the Taxation of Suitors in the Courts of Law and Equity by the collection of Fees, and the amount thereof, and the mode of collection; and the appropriation of Fees in the Courts of Law and Equity, and in all inferior Courts, and in the Courts of Special and General Sessions in England and Wales; and as to the Salaries and Fees received by officers of those Courts; and whether any and what means could be adopted, with a view of superintending and regulating the collection and appropriation thereof."

The hon. Gentleman said, the matter was of immense importance; for delays and expense gave a great advantage to dishonest parties, and threw obstacles in the way of honest suitors. Every person must be aware of the immense extent to which fees were collected in courts of justice—fees of the foundation or origin of which no reasonable account could be given. A full and searching inquiry should therefore be instituted into the origin and amount, the legality and justice of those fees. In 1845, the total amount of the sums collected in fees and otherwise from suitors in Courts of Equity and Common Law amounted to 250,807*l.*, and the ostensible object was to pay salaries and compensations for abolished offices. This enormous sum was paid by the officers who collected the fees, without the slightest check being in existence to secure an honest return. The courts of law were particularly objectionable, inasmuch as more was collected in fees than was necessary to pay the salaries and compensation allowances of the officers. In the three years ending with 1843 the Court of Queen's Bench paid into the Consolidated Fund, as the surplus which remained after paying the salaries and allowances, the sum of 50,128*l.*; the Exchequer, 46,127*l.*; the Common Pleas, 4,731*l.* One cause of the great increase which had taken place in the amount of fees, was the delay which occurred in the disposal of causes. At Westminster Hall there was only the same number of Judges as officiated in the time of Queen Elizabeth and of Edward III.—five in each court—whilst the money paid into the Consolidated Fund, being the balance which remained after paying all expenses, averaged from 30,000*l.* to 40,000*l.* a year. He thought the suitors had a right to require that the fees exacted from them should be applied to the purpose for which they were ostensibly levied—the payment of a sufficient number of Judges to secure the speedy administration of justice. He thought the number of Judges should be increased by one or two in each court. In the Courts of Bankruptcy, Lunacy, and similar tribunals, fees were also levied, and there was not the slightest check upon the accuracy of the return. In connexion with the inquiry, which he hoped the House would agree to, was the question of how far it was right and proper that fees should be levied at all from persons who sought justice, and how far the expense should not be borne by the nation, care

being taken that no improper suits were instituted. Upon that question, however, he would not enter upon that occasion. He had understood that objections had been taken to that part of his Motion which related to the compensation allowances which were paid to certain officers; and rather than endanger the other branch of the inquiry he would consent to the exclusion of the part which related to such compensations, reserving to himself, however, the right of bringing forward that subject upon some future occasion, should he deem it proper to do so.

MR. ROMILLY seconded the Motion. The proposed inquiry was intimately connected with the great question of law reform, one of the essential characteristics of which was that law should be made as cheap and expeditious as possible. It was commonly said that a person who embarked in a suit ought to bear the expense of putting and keeping the machinery of the law in motion; but this, he thought, was a mistaken view of the question, as it was the public who actually derived the benefit of the administration of justice. It appeared to him to be as wrong to compel a person to pay for obtaining justice in a court of law as it would be to compel a person who had his house robbed or his person assaulted to pay for the expense of the police. He hoped the ultimate result of the inquiry sought for by his hon. and learned Friend would be the establishment of the principle that, instead of taxing suitors to the extent of 100,000*l.* a year for the benefit of the country, the converse should be the case, and that the country should bear the whole expense of upholding the administration of justice. He hoped that another object to be gained by the appointment of a Committee would be the convincing of the House and the Government of the importance of the subject to which he called attention at the close of the last Session of Parliament—the absolute necessity which existed for having a department of the Government devoted to the superintendence of the administration of justice. That duty was now discharged by the Home Office and the Lord Chancellor; but these departments were absolutely overburdened with work already, and to throw additional work upon them was merely to increase the amount of business which would remain undone. The dislike which he felt to the bringing forward of any abstract question, and not having had sufficient time to prepare a Bill on the subject, had prevented him from bringing the subject so prominently before the House as his sense of its importance would have otherwise induced him; but he would say, that he deemed it essential to the right administration of justice and to the progress of safe, salutary, and progressive reform in the law itself, that a Minister, unconnected with its administration, should be appointed to superintend the working of every court of justice throughout the country. This arrangement would supersede the necessity of issuing commissions of inquiry; the results of which were too frequently the accumulation of a mass of crude suggestions, which for the most part could not be converted into anything practically useful. In regard to fees, the present state of the Court of Chancery was as bad as it could be. There was no check upon the officers who collected the fees. They were merely required to swear by affidavit that the return was correct; and he did not think it right that so strong a temptation to make a dishonest return as existed at present should be allowed to remain. The fact was notorious—still he did not choose to mention names—that the successor of one of the officers who had died, had, without any visible increase having taken place in the business of the court, paid a half more fees to the Consolidated Fund than had been paid by his predecessor. This circumstance could not fail to give rise to the gravest apprehensions as to the kind of returns which were made.

The ATTORNEY GENERAL said, that when a similar Motion was made at the time the right hon. Baronet the Member for Tamworth was in office, that right hon. Gentleman stated he had no objection to the inquiry, in so far as the question of fees was concerned; and when his right hon. Friend the Secretary of State for the Home Department was asked the same question, he stated he should have no objection to the inquiry to the extent approved of by the head of the late Government. Under these circumstances it was not his (the Attorney General's) intention to offer any objection to the Motion, the words relating to the compensation allowances being omitted. Still he did not wish it to be understood that he adopted much of what had been said in connexion with the Motion, as to the manner in which the fees ought to be applied. That question would more properly be disposed of by the House after the inquiry had terminated.

MR. HUME, after referring to the results of the inquiry which he proposed fourteen years ago on the fees of the courts, expressed his belief that the appointment of this Committee would issue in great benefit to the people. But, as an old reformer, he would just say that he had found it almost impossible to effect a reform where personal interests were concerned; and the first step should be to abolish the fee system.

Motion agreed to.

SMITHFIELD MARKET.

MR. O. GORE, in nominating the Members to constitute the Select Committee on Smithfield Market, apologized for the delay which had taken place, and assured the House that it had arisen from a desire to secure a full, a searching, and, above all things, an impartial inquiry. Since giving notice of the names of the Committee, he had received an intimation from the Government that it would be desirable to place the names of two Members, one connected with the city, and the other with a metropolitan county, on the list; and he, therefore, proposed to substitute Lord Robert Grosvenor for Mr. Baring, and Mr. Lyall for Mr. Burroughes. In connexion with this change, the hon. Member spoke of having the Committee so constituted as to prevent its decision from being biassed by considerations arising out of the anticipated general election. He knew of one body of men who had considerable influence at elections, who were strongly opposed to the removal of the alleged nuisance; but he did not think that the feelings and interests of these men should be allowed to stand in the way of the public good.

COLONEL T. WOOD thought that in a matter which affected the supplies and convenience of 2,000,000 of persons, it was only fair that at least one-third of the Committee should be composed of Members more immediately connected with those persons as representing them in Parliament. As to the bias spoken of by the hon. Member, he did not see how it could exist on so broad a question. He would move that Lord Robert Grosvenor be substituted for Lord Mahon.

MR. O. GORE: Lord Robert Grosvenor is nominated already.

On the question that Viscount Mahon be one of the Members of the Committee, the House divided:—Ayes 25; Noes 6: Majority 19.

List of the AYES.

Baine, W.	O'Brien, A. S.
Barnard, E. G.	O'Brien, T.
Bentinck, Lord G.	O'Conor Don
Brotherton, J.	Parker, J.
Craig, W. G.	Somerville, Sir W. M.
Ferguson, Sir R. A.	Stuart, J.
Fitzroy, hon. H.	Taylor, E.
French, F.	Thesiger, Sir F.
Grimsditch, T.	Williams, W.
Hawes, B.	Wortley, hon. J. S.
Maher, N.	Young, J.
Marsland, H.	TELLERS.
Maxwell, hon. J. P.	Gore, O.
Morpeth, Visct.	Gore, W. O.

List of the NOES.

Bouverie, hon. E. P.	Thornely, T.
Evans, Sir De L.	
Humphery, Ald.	TELLERS.
Morison, Gen.	Hume, J.
Strickland, Sir G.	Wood, Col. T.

Forty Members not being present, the House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, May 5, 1847.

MINUTES.] PUBLIC BILLS.—1° Incumbered Estates (Ireland).

2° Registration of Voters.

PETITIONS PRESENTED. By Sir J. Packington, from Newcastle-under-Lyme, for Alteration of the Law of Marriage.—By Mr. S. Wortley, from Rothesay, against the Marriage (Scotland) Bill.—By Mr. Brotherton, from Westminster, and Mr. T. Duncombe, from Finsbury, for Inquiry respecting the Rajah of Sattara.—By Mr. Brotherton, from Chatteris Temperance Society, against the Use of Grain in Breweries and Distilleries.—By Mr. M. Gibson, from Solicitors of Her Majesty's High Court of Chancery, for Inquiry.—By Mr. S. O'Brien, from Great Gidding, against the proposed Plan of Education.—By Sir J. Packington, from Droitwich, in favour of the Health of Towns Bill.—By Mr. M. Gibson and other hon. Members, from several places, for and against the Hosiery Manufacture Bill.—By several hon. Members, from a great many places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Sir C. Knightley, from Syresham and Brackley, for Repeal or Alteration of the Poor Removal Act.—By Mr. S. Wortley, from the Presbytery of Meigle and the Kirk Session of Cumbray, against the Registering Births, &c. (Scotland) Bill; and Marriage (Scotland) Bill.—From Farmers and Graziers of Northamptonshire, against the Removal of Smithfield Market.

MEDICAL REGISTRATION BILL.

SIR W. JOLLIFFE: I wish to put two questions to the right hon. Gentleman (Sir G. Grey) on a subject of great interest to an important class of the community. First, whether any application has been made by the presidents of the Councils of the Colleges of Surgeons, Physicians, and Apothecaries, for the purpose of ascertaining what course the Government intended to take as to the Bill (Medical Registra-

tion) now on the Table, introduced by the hon. Member for Finsbury. The second question is, whether the right hon. Gentleman (Sir G. Grey) is ready to abate any of the grievances to which the body of surgeons conceive they will be subjected, if a charter such as that contemplated under the Bill of the hon. Member for Finsbury is granted.

Sir G. GREY: In answer to the first question, I beg to state that I received yesterday a communication from the president of the College of Physicians, requesting that an opportunity might be afforded to a deputation from the college to state the nature of their objections to the Bill of the hon. Member for Finsbury. I also yesterday received communications from the Council of the Royal College of Surgeons, and from the National Institution of General Practitioners, expressing a similar desire. Under these circumstances had the hon. Member for Finsbury been in his place, I should have asked him to postpone his Bill to some future day, so as to allow these different bodies to state the nature of their objections to it. With regard to the second question, I have only to say that a representation has been made to me by the College of Surgeons, in answer to which I am not as yet able to give any distinct assurance, as the subject is still under the consideration of Government.

DRAINAGE OF LANDS BILL.

The Earl of LINCOLN, in moving the Order of the Day for the House to resolve itself into Committee on the Drainage of Lands Bill, said, that as a similar Bill had since the second reading of this Bill been introduced for Scotland exclusively, he should move in Committee that this Bill be limited in its operation to England and Wales, and that all words having reference to Scotland should be expunged.

Colonel SIBTHORP rose to oppose the further progress of this Bill. He had objected, and always would object, to it, because it proposed to interfere with the private property of individuals. He was for letting every man drain his land in any way he liked, without being subjected to the interference of other parties. He believed he might safely say, that no one individual had expended more than he had in draining his lands. He thought that the duty which he owed to his tenants and the country at large required him to drain his lands effectively; but he found no individual ready to assist him, he found no one willing to lend him a hand of assistance in the improvement of his property, but quite the contrary. He had expended 1,000*l.* in improving a single drain on his property, without receiving a single shilling by way of assistance from any party. But this Bill proposed to grant powers to Commissioners, with regard to drainage, whose fees would of course be a great expense to the parties concerned. They had the power of adjourning from day to day, and therefore the time when the improvements contemplated under the Bill would commence was indefinite. He was requested to ask the noble Lord, whether he had any objection to introduce a clause that would give security of compensation to copyholders for the large improvements which they might effect in the drainage of their lands. Under the present law the benefits of all those improvements would revert to the lords of the manors, without any compensation by law being made to the copyholders. As a lord of the manor, he should be ashamed to take any such advantage of his copyhold tenants; but he thought that the House would act unfairly and unjustly to copyholders, if they allowed it to pass without inserting a clause which would give the security to which he alluded. He felt it to be a duty which he owed to himself and the country at large, to prevent as much as possible the great inroads on private property contemplated by this Bill.

The Earl of LINCOLN said, the objection which he had to the introduction of the clause proposed by the hon. and gallant Gentleman was this: that whereas this Bill merely professed one mode of improving landed property in England, it would be a manifest injustice to introduce any provision in this Bill which should be applicable to that species of improvement and to no others. He was by no means inclined to dispute with the hon. and gallant Gentleman that it was desirable that the protection of which he had spoken should be afforded to copyholders; and the best way of affording that protection, he believed, would be by introducing a Bill for that especial purpose. The whole laws relating to copyholders certainly required amendment. With regard to the objection raised by the hon. and gallant Gentleman to the Commissioners, he (the Earl of Lincoln) wished to observe that that objection could not be maintained, inasmuch as the duties of the Commissioners would be performed by the present Inclosure Commissioners without any increase being made to their salaries.

And with regard to the hon. and gallant Gentleman's objection, that this Bill would sanction a violation of the rights of property, he would remind him that there was a maxim in the law, that "You are to use your own property in such a way as not to injure that of your neighbour." All that he proposed to do by this Bill was, to prevent a man injuring the property of his neighbour, by preventing him from carrying into effect works of drainage for the improvement of his property. He could not think that the hon. and gallant Gentleman would maintain that they would be infringing the rights of property if they should prevent him from damming up the waters which might run through his estate, when the lands of another were ruined for want of them. Those were the objects of the Bill; and he hoped that the hon. and gallant Gentleman did not intend to prevent the House going into Committee on the Bill.

House resolved itself into Committee. Bill went through Committee, and House resumed.

REGISTRATION OF VOTERS BILL.

Mr. WALPOLE rose to move the Second Reading of the Registration of Voters Bill. It would be necessary for him to give the House some explanation of the principles and details of the measure he now brought before them, and he would take that opportunity of doing so as briefly as possible. There could be no question that the efficiency and integrity of our representative system depended to a great extent on the working of the machinery employed in the Registration Courts; and therefore no consideration could be more important than to see that the machinery would answer the purpose for which it was intended. At present there were many impediments in the way of an accurate and complete registration; and the object of this Bill was to obviate and remove them as far as that object could be effected. To the claims of persons clearly entitled to the franchise, there had been and were raised the most frivolous objections; and if these objections had been vexatiously used, as he would show they had been, for the purpose of attacking the most undoubted qualifications, not only on the ground that they were either deficient in point of tenure or insufficient in point of value, but on some trivial error, some casual omission, some verbal inaccuracy, then there could be no question that something should be done to stop that evil. The fact was, that hundreds of voters were yearly objected to, not for the purpose of testing the validity of their qualifications, but for party considerations; and he was sure it was the duty of the House to protect the rights and interests of their different constituencies. The Bill of which he now moved the second reading was founded on the report of a Select Committee which sat last year to inquire into this subject. That Committee was composed of men of every shade of opinion; and after having heard an immense mass of evidence from the best witnesses, local agents, experienced solicitors, and revising barristers, they submitted a number of suggestions to the House, in the propriety of which, with one exception, the Members of that Committee were almost, if not altogether, unanimously agreed. Now these suggestions related more especially to the machinery of registration, and they were incorporated in the Bill, with the one exception to which he alluded. It appeared from the evidence before that Committee, that every county constituency underwent a complete and total change once in every ten years. By that he did not mean that every name on the registry was altered; but the number of changes during that period was equivalent to the number registered. Thus, if there were ten thousand voters on the registry of Middlesex in 1840, there would be 10,000 changes in it in 1850. One-tenth of the constituencies in all, and one-seventh of them in many cases, were struck off in that interval. No one could believe that the actual changes in the nature of the qualification were so numerous as this; and in fact it would be found that they were chiefly caused by the wholesale manner in which objections were made: no inquiry was instituted beforehand, and no pains was taken to ascertain whether the voter had or had not the qualification which he claimed for. These objections were frequently founded on the mere omission of a number, a name, or a figure; and on such grounds forty-nine out of fifty of them were made and advanced before the revising barristers. The character of the objectors was another point which ought not to be lost sight of. The objectors, for the most part, were men of no station, character, or substance; and he wished the House to bear in mind that fact, and also to remember that objections were made by persons paid for that purpose; and if the objections were very numerous, they were often accompanied by actual forgeries, for

others were employed to counterfeit their signatures. By this Bill provision was made to ascertain who the objectors really were; and it also had in view the correction of another evil somewhat similar in character. He alluded to the practice of making objections against those who resided at a considerable distance, taking care at the same time that there was some trifling error which required correction; and then the inconvenience of attending the revision was that which the objector mainly relied upon; for, if the voter appeared in support of his claim, that trifling error was pointed out as a reason why costs should not be given; and if he did not attend, his vote was struck off for non-attendance. However, as the law at present stood with respect to costs, the objector could withdraw when he found the voter was coming forward, and so escape from all liability; while the latter, who might have been put to much loss of time and expense in appearing to substantiate his claim, could not recover a single farthing, as the court had no power of giving him compensation. He would confidently ask the House, therefore, under such circumstances, whether some guarantee ought not to be given for the honesty of the objector, and the *bonâ fides* of the objection? No doubt some advantages should be given to the objector; and the justification for it was the necessity of having a pure and accurate registry. He could assure the House there was no one more anxious than himself to keep the registry pure and accurate; but he hoped they would draw a marked distinction between a pedantical accuracy in names and figures, and a substantial accuracy which would retain every name on the list of voters that had a right to be there. The question they had to consider was, how they could ensure both these objects, how they could ensure an accurate register, while they protected and preserved *bonâ fide* qualifications. There could be no doubt that accuracy of registration was very important to prevent expense and useless trouble; and this and the other object were therefore both attended to in the present Bill, namely, to combine on the same registries the minimum of clerical errors with the maximum of *bonâ fide* and honest qualifications. This the Bill attempted to do under three general heads: the first was to give *bonâ fide* electors a protection and indemnity against frivolous objections when they had once substantiated their title to vote; the second, was to draw a marked distinction between those objections which were founded on the merits, and those objections which were purely technical; and the third, was to leave to the objector the fullest power of purifying the registry, but under such regulations as would restrain him from exercising that power in a vexatious manner. In order to give the elector greater security against being objected to again, when once he had proved his claim, he proposed that any person seeking the franchise should be at liberty to give notice that he intended to prove his vote in a stricter manner than usual. Having done so, to the satisfaction of the revising barrister, the latter was to write the word "proved" against the elector's name, and thenceforward he was to be entitled to the privilege of "a proved registered voter"—that is to say, as long as he retained the same qualification he should be entitled to remain on the list; and if he was objected to at a subsequent period, he should then be entitled, on substantiating his vote a second time, to recover, as of right, forty shillings from the party objecting, which would operate as an indemnity against his being objected to on frivolous grounds. There were clauses in the Bill to defeat the possibility of collusion between the objector and the voter. Secondly, he proposed that in all cases any person who objected to another's vote should specify generally the grounds of his objection, which was doing no more than was required in every court of justice. In doing so, he admitted there would be a necessity for guarding against the introduction of special pleading; and he, therefore, proposed that the objector in his notice should specify generally whether his objection would be founded on the merits, or whether it was founded on technical points. If he proceeded on the merits of the vote, he should then be entitled to go into these questions only on which the validity of the claimant's right depended, and not into matters of technical statement, as he was now in the habit of doing to save himself from costs. If he proceeded on the grounds of misdescription, or such technical points, he should then be confined to those points only, and not be allowed to object on the merits. This rule would restrict a great many objections, for the number of this character made every year was very great indeed. By the 11th Clause, a power was given of correcting misdescription. He proposed that if any person were ob-

jected to on such ground, he should be allowed to go before a magistrate and make a statutory declaration as to what he considered his proper description to be; and the magistrate was thereupon to sign a certificate, on the production of which the revising barrister was to make the correction without requiring the voter's attendance. He had also introduced provision to do away with a very common cause of fraud at the time of polling, namely, double entry of votes, which gave immense opportunities of personating voters. The House would scarcely believe how many cases of this kind existed, and to what evils they gave rise. In the West Riding of York, there were between 1,000 and 2,000 of such double entries; and many of the electors were registered not merely twice, but seven, eight, nine, ten, and even eleven times over. In a division of Lancashire, of 540 electors 123 were more than once registered; and in another county a Member of the House was registered not less than sixteen times. In order to rectify this growing evil, it was proposed that each voter should be bound to elect the polling place at which he intended to vote, and should not be permitted to vote elsewhere; and wherever his name occurred on the register, the revising barrister was to make an entry to that effect. The consequence, as he hoped, of this arrangement would be, that no person could possibly be personated at different places, for the check-clerk would perceive immediately whether the right elector had come to the poll. Under the third general head of the Bill, it was proposed to leave the objector a larger power of purifying the registry, while he was, at the same time, restrained from exercising that power in a vexatious manner. Much of the efficiency of this provision would depend on the question of costs. An important part of the Bill undoubtedly was that which required the deposit of costs. All the agents informed the Committee that they could not get on with the registration as it ought to be proceeded with, in order to prevent wholesale objections, unless some deposits of costs were made. Amongst the most intelligent agents of this country were those for the West Riding of Yorkshire; and they all concurred in thinking that to make the system a really good one, some deposit was absolutely necessary. What he proposed by this Bill was, to require objectors to deposit for every objection 2*s.* 6*d.* by way of costs with the overseer. That sum would be brought into court by the overseer; if the objector failed to make good his objection, it would be handed over to the party objected against; if he succeeded, it would then be returned. Every one conversant with the working of registration was aware that there were numerous instances in which parties were put to great trouble and expense; and it was generally agreed that a larger power of enforcing costs to any extent, however minute, would be better than the present uncertain system. He doubted whether it would be advisable to make this clause applicable to boroughs; though it was made to apply to them as the Bill stood at present. He ought to mention, that there was one of the suggestions made by the Committee not inserted in this Bill; that suggestion was the first adverted to in the report, and it related to a point exceedingly important. He was anxious to have an opportunity of calling the attention of the House to it; and he proposed, at some future period, to bring the subject under their consideration. The suggestion was, that what was called the Splitting Act should receive an extended application. The House was aware that this was an Act passed by Lord Somers, one of the greatest constitutional lawyers who ever lived in this country, declaring that more than one voice should not be heard to vote for the same tenement. It had been decided by our courts within the last two years, that that Act of Parliament applied to none but fraudulent cases. Now, it appeared by the evidence of the Committee, that it was the constant practice—and this applied to all parties—for houses to be bought, and then split up into fifty votes. This had been done to a great extent, and they had it in evidence, that the majority of the West Riding, which was the largest constituency in the country, was actually turned by votes thus put on the register. If such a constituency as that could be swamped by the contrivance of any party, whether Whig or Tory, through persons being put on the registers who did not pay one shilling to the county funds, who had no connexion whatever with the county, and who took no interest or part in its affairs—if that kind of practice was to be allowed in future, depend upon it our representative system would be completely swamped. He was perfectly convinced that some such measure as that which he alluded to must be proposed to the House before a very long time elapsed; at the same time he knew full well that the measure

was one of immense difficulty in a legal point of view; and he would candidly state, that he believed it would give rise to so much discussion by persons who took a different view from that which he adopted, that, to avoid this discussion, and to prevent anything like a party character to the present Bill, he had purposely excluded all mention of it. If ever he brought the topic under the consideration of the House, he would do so at the longest notice; for he was well aware that a more important constitutional question could not be brought forward. It really was not, and it ought not to be made, a party question; it was a question affecting the efficiency, integrity, and honesty of our constituency, and as such it must be discussed hereafter. He believed he ought to mention two other particulars with which the Committee had concluded their report. They stated, that though they did not think it advisable to make any distinct proposition to that effect, they considered it might be desirable to have public officers to make out the register, and that the revising barristers ought to be paid in a different way. With regard to the first point, he thought it very important; but the question immediately arose, by whom were those officers to be appointed? Who was to pay them? Who was to select them? Under whom were they to act? Whoever appointed them, it would give rise to the suspicion of partiality; and he need not say that in matters of registration, even the suspicion of partiality ought carefully to be avoided. He hoped the House would always bear in mind, if they ever thought proper to alter that part of the registration law, that the presence of the local overseers was absolutely essential for the purposes of revision. They were the only impartial persons who knew anything certain of the different voters, or who could inform the revising barristers whether voters were resident or had changed their residences, or whether their houses were properly described; and this was information which must constantly be brought under the immediate notice of the revising barrister. He hoped the House, therefore, would never dispense with the presence of the parochial overseers. With respect to the payment of revising barristers, he certainly thought that under the old system, when they were paid by the day, the business was often protracted unnecessarily. Under the present system, they were paid by the job; and in some instances he believed it to be true that the business was hurried over much too quickly. How to remedy this, he really did not know; even if a remedy was to be applied, it was one of those matters which rather belonged to the province of the Executive Government than to any individual Member. Perhaps he might be permitted to make this one observation, in case the Government should think proper to interfere—that the present system, which was every day gaining ground, of appointing persons who were to act as judges in some cases and advocates in others, ought not to be continued. No less than seventy or eighty local judges had recently been appointed, who now were placed in this anomalous position; and they might depend upon it that it would be found necessary to alter this system before ten years had passed over. It must always be remembered, that the qualities of a judge and the qualities of an advocate were totally distinct. He had now endeavoured to put the House in full possession of the provisions of this Bill. He believed it to be a Bill of great practical importance. He founded that opinion, not merely on the evidence before the Committee, but, perhaps he might add, on personal observation and practical experience, which made him very familiar with the law of registration. Without much presumption, he might be allowed to say, that, having revised, for three consecutive years, one of the richest and greatest of the manufacturing counties—South Lancashire—and for two consecutive years the county of Middlesex, he could assure the House that they had no conception of the vexation and annoyance, the trouble and expense, to which some of the best and most undoubted voters were put. The House could have no conception of the reckless, thoughtless, and indiscriminate manner in which objections were taken, or how much the electors stood in need of an improved system, in order that they might be protected in their undoubted rights and privileges; and he believed they would find that some interference on the part of the Legislature was absolutely necessary. Certainly, it appeared to him that the electors of this country had a right to require, when they had substantiated their votes year after year, that they should not be called upon again and again to substantiate what they had so often established and proved before. He thought they had a right to require, according to the principles which regulated the procedure of every court of justice, that

they should know beforehand the nature of the attack which was brought against them, in order that they might be enabled to prepare for their defence. He thought they had a right to require that a mere error of description should not be visited with the same consequences as a defect of qualification; and, last of all, he thought they had a right to require that a mere man of straw should not be allowed to cast his objections far and wide, not because he had any reason to suppose that the voter's qualification was a bad or doubtful one, but rather in the hope that out of the hundreds against whom he directed his darts at haphazard, some might be unable or unwilling to support their votes, and their names would be struck off for non-attendance. These were the rights which it was the object of this Bill to support and confirm; and these were the rights which he thought that House, as representatives of the people, were bound to protect. He had only to add, that his intention in submitting this Bill was simply and solely to devise a remedy for what he believed to be a great practical evil; and in case it went into Committee, he should be happy to receive from any quarter such suggestions and alterations as would bring about that object which he proposed to effect by this Bill.

Sir G. GREY did not rise for the purpose of following the hon. and learned Gentleman into the different clauses of this Bill, the object of which he had explained with so much ability and clearness. He should only on this occasion express a hope that the House would give a second reading to this Bill under the circumstances in which the Bill came before them. It was intended to carry into effect the great majority of the recommendations of the Committee appointed to investigate the allegations made on this subject in the course of last Session. He believed the Bill strictly followed the recommendations which emanated from that Committee, being either adopted unanimously or by a very great majority of the members, omitting, as he thought the hon. and learned Gentleman had wisely done, the first recommendation, as to which great difference of opinion existed. Looking at the Bill, he found that it contained what he regarded as some very valuable provisions, with others which would require very careful consideration. He did not consider it necessary now to go through the different clauses, or to state the view he took of all the points embraced in the Bill. He thought it right only to state that he gave his support to the Bill, founded as it was on the recommendations of the Committee, to which great weight was given. But he feared they could not anticipate that they would see any system free from abuse. In legislating upon this subject, it should be their aim to make such stringent regulations as would not only protect the voter in the *bonâ fide* exercise of his franchise, which was the great object, but also would not throw needless obstacles in the way of well-founded objections. These were the two principles which ought to be kept in view; and he should be happy to concur with the hon. and learned Gentleman in framing such provisions as might give effect to them.

Mr. BRIGHT did not rise to throw any opposition in the way of this Bill, by which he quite agreed that some amendments might probably be made to the system of registration now practised. He rose for the purpose of calling the attention of the House for a moment—and he thought himself entitled to it for the sake of persons out of doors, against whom serious charges had been brought in connexion with that subject—to the charges made when this Committee was moved for by the hon. Members for North Warwicksh re (Mr. Newdegate) and North Staffordshire (Mr. Adderley), to the effect that numbers of objections had been served by the instigation of the Anti-Corn-Law League on persons about whose real claims to vote there could be no doubt, as they were possessed of considerable property. The object of those hon. Members was to expose the system of organized registration carried on by the Anti-Corn-Law League. The report which the Committee had furnished to the House, he thought its Members themselves would admit, did not, in any degree, bear out the charges made on the occasion to which he referred. The Committee stated that certain complaints had been made by hon. Members, but that these were denied by the parties to whom they related; and it was admitted that the evidence was of such a nature that the Committee did not feel themselves competent to come to any accurate or positive conclusion on the subject. The hon. Gentleman read extracts from the evidence given before the Committee by Mr. Wilson, chairman of the Anti-Corn-Law League, relative to cases of alleged fabrication of votes which occurred in North Cheshire and North Staf-

fordshire, which he contended fully established the justice of the course taken by the Anti-Corn-Law League in reference to them. With respect to the North Cheshire case, which concerned a Gentleman who was a Member of that House (Mr. George Cornwall Legh, Member for North Cheshire), Mr. Wilson said—

"At the revision for North Cheshire, last year, we objected to a great many parties, some of undoubted wealth. We objected especially to one list, and upon that list there were the names of fifteen or sixteen parties, claiming in respect of freehold rent-charge out of the property of the George Inn, at Knutsford; George Cornwall Legh, Esq., was the owner. I will read two or three names, to show they are persons of property: Thomas Blackburne, rectory, Prestwich, Lancashire—nature of qualification, freehold rent-charge; description of property, George Inn, Knutsford; George Cornwall Legh, Esq., owner. William Ireland Blackburne, Prestwich, Lancashire, freehold rent-charge, George Inn, Knutsford; George Cornwall Legh, Esq., owner. We objected to these gentlemen, and struck them off."

No consideration was given in respect of the grants of these qualifications; and though the revising barrister was asked for a case on which to go to the Court of Common Pleas, it was not judged expedient by the parties to proceed with it. With respect to the North Stafford case, Mr. Wilson stated as follows:—

"Then there were numerous parties who claimed without having any qualification; take as a sample North Stafford—there is the parish of Wolstanton, there were thirty-eight voters upon the list as freeholders in that parish, who, upon being questioned in the barrister's court, admitted they had no title to the property, nor had it ever been conveyed to them; so that there were thirty-eight in one parish who had no title whatever to the property. I believe they were squatters who had settled upon the land, and had never acquired a title. This property was at Mow, Mow Cap and Golden Hill; and these thirty-eight parties had been upon the register for years, and they were proved in the revision court never to have had the slightest title to a vote."

More than one of the revising barristers had also declared that the course taken by that body was most meritorious. The hon. Member for Midhurst (Mr. Walpole) had omitted to state the principal cause of the difficulties found to exist at present, which was, the various sorts of qualification provided throughout the counties. He found from the list given by the Committee, that of copyhold qualifications there were not less than 400 different kinds, of leasehold qualifications 250, of occupying tenants 50, of freeholds 576, making altogether 1,276 county qualifications. He maintained that it was totally impossible, with any system of registration, to put the matter on such a simple basis as the hon. and learned Gentleman wished. So long as you had such a variety of qualifications, you must have of necessity great freedom of objection, and the voters must be subjected to a considerable number of those inconveniences to which the hon. Gentleman had called the attention of the House. From a table, furnished to the Committee by the chairman of the League, it appeared that of the total objections made to voters by their agents in the revising barristers' courts, there had been substantiated in North Warwickshire 96½ per cent; in North Staffordshire, 98 per cent; in South Lancashire, 75 per cent; in North Cheshire, 79 per cent; in South Cheshire, 83 per cent; in East Gloucestershire, 89¾ per cent; in Buckinghamshire, 92 per cent; in Westmoreland, 100 per cent; for in the last county every single objection taken by the League was declared to be good, either by the revising barrister, or in the Court of Common Pleas. He took the League, therefore, to be entirely cleared of any accusation that had been brought against it of having improperly interfered with the registration courts. Every one who had heard or read of the proceedings of the Committee would admit that Mr. Wilson had given his evidence in the most open, clear, and direct manner; there was not one objection made against the body with which he was connected that he did not fairly meet; and he thought it would be admitted by a majority of the Committee that every objection made to the proceedings of the League had been overturned. With respect to the Bill before them, it was a matter of course that the Bill should be read a second time after the expression of the right hon. Baronet's opinion; but there were certain clauses in it most strongly objected to by persons intimately acquainted with the registration system. He had no object beyond that which the hon. and learned Gentleman had stated himself to entertain. He wanted as many persons as possible to be on the register, who had legal and good qualifications to be there. He would not however, consent to such stringency of regulation with regard to the bringing of objections as would enable persons to be on the register who had no qualification, and would operate to prevent fair objections being made; for he thought it infinitely better that you should have a large number of

names on the list, and a large number of objections brought, if necessary, than that persons properly entitled should be excluded from voting.

MR. NEWDEGATE said, the hon. Member for Durham seemed confident that the House would not calmly consider this question; and he also seemed inclined to cast a slur upon it because there was nothing in the report of the Select Committee indicating that the charges made against the Anti-Corn-Law League when the Committee was moved for had been substantiated. Now he begged leave to say that in moving for the Committee he had only one object in view—namely, that of bringing before the House a great question which affected the rights and privileges of the constituencies, and to obtain an impartial tribunal before whom that question might be investigated. And there had never been a Committee appointed in which every shade of opinion was more fairly represented. A more impartial Committee never sat. With respect to what he had stated as having taken place in Warwickshire, he was sure that no member of the Committee would say that he was not justified in making that statement, because it was fully borne out by evidence. All the allegations he had made were distinctly proved; and the reason why no notice was taken of these allegations was, that the Committee desired that all matters which were calculated to prevent the calm discussion of the question should be excluded from the report. In Mr. Wilson's (chairman of the League) account of the North Warwickshire objections, he only gave 201 bad, 24 good: total 225. But there was evidence that there were no less than 710 notices served in the two parishes of Birmingham and Aston alone; and that a man of the name of Stafford refused to swear that he had not signed 400 notices with his neighbour's (Worthington's) name, by whose evidence it appeared that he (Worthington) had signed from 1,500 to 2,000 notices with Stafford's assistance. He stated that he began on Thursday, and was signing till Sunday morning. Mr. Hibbert, in his evidence, stated that there were 194 objections signed by Stafford in Worthington's name in Birmingham alone. There were actually signed by Worthington about 510, 340 of which were heard in the Birmingham court. Mr. Wilson only claimed for the League 225 objections; costs given in 15 or 16 cases; but as far as could be ascertained about 1,000 votes had been objected to in North Warwickshire, whilst Mr. Wilson's account only showed 245, so that there must have been 775 more notices than the objections shown in Mr. Wilson's statement. He knew perfectly well how Mr. Wilson arranged his account; he had taken no notice of the objections which were not decided upon by the court, for when the signature of Worthington was proved to be false, the objecting parties retired. The hon. Member for North Staffordshire would be able to prove that similar circumstances had taken place in the county which he represented; and he was aware that like events had happened in Cheshire and in other counties. He would not deny that abuses occurred in connexion with all political parties in the country; but these abuses required a remedy. Something had been said about the split-voting system by the hon. Member for Durham (Mr. Bright), and he would only mention one case in connexion with that system. In the West Riding of Yorkshire no less than fifty persons' names were placed on the register whose claims to vote were concentrated in the ownership of one set of buildings called "Bright's-buildings," at Barnsley. The property was proved to be worth only 1,900*l.*, so that, divided among the fifty claimants, it only gave 39*l.* 16*s.* for each. He believed that Bright's buildings formed a factory; and the hon. Member for Durham should recollect, when he brought forward instances of abuse, that he was himself living in a glass house. Similar qualifications, though of greater value, were to be found in Sussex, Middlesex, Cheshire, and Lancashire. He thanked the Government and the House for having received the measure so favourably, and he was sure that great advantages would arise from the adoption of it.

MR. VERNON SMITH said, it was true to a certain extent that the present Bill was founded on the recommendations of the Committee; but it was not strictly in accordance with all the suggestions of the Committee. The principle of the Bill went a good deal further than those suggestions; and they must take care that they did not facilitate the admission of fictitious votes into the registry, by discountenancing many of those objections which the hon. and learned Gentleman called frivolous and vexatious. The provision in the Bill which enacted that no persons except the overseers should be

allowed to object, unless their property was situated in the same district as the claimant's, was calculated, he thought, to enhance materially the expense of registration, as it would oblige parties to have an agent in each district, and to limit improperly the right of objection. Any person in the same county or borough ought to be allowed to object. With these reservations, he supported the views of the hon. and learned proposer of the Bill; approving particularly of that part of the measure which gave a sort of security to votes once placed on the registry.

Mr. ADDERLEY thought that a provision, requiring the objector to be of the same polling district as the claimant, was absolutely necessary, as that would prevent men of straw being set up as objectors. He deprecated the introduction of irritating topics into the discussion of what was a great national question; and he should have thought that the members of the Anti-Corn-Law League—which was now defunct—needed not to be so sensitive in respect to any reflection on the means of their past success, but might have consented to consider this question now simply as a constitutional one. The danger was, lest any party in the country should become possessed of the means of swamping the constituencies, by wholesale objections, fictitious claims, or by splitting tenements. The last point was considered by the Committee as important enough to deserve a separate consideration; and the Bill, which had his support, therefore, only applied to the two other points.

Mr. G. J. HEATHCOTE was ready to concur in the view expressed regarding this Bill by the right hon. Baronet the Secretary for the Home Department; but thought that the measure should receive full consideration. It was not a Bill for the alteration of the franchise, but for the purification of the register. Of most of the provisions, as described by the hon. and learned Gentleman, he was inclined to approve; but he thought there were others which required improvement. He wished to ask, if costs were to be allowed in cases where a person made an objection, and substantiated it? At present, the objector ran the risk of affronting the person to whom he objected, and also incurred large costs, whilst he gained nothing if he succeeded; but if a person made a proper objection, and it were allowed—if, for instance, in a case of misdescription, the party had to alter his description—he thought the objector should have costs for his trouble, otherwise no person would be induced to make this sort of objections. With respect to the observations of the hon. Member for Durham, he could only tell the hon. Member that in the county which he represented, the League had made three or four hundred objections, and were obliged to withdraw them. He hoped that full time would be allowed for considering the measure before going into Committee.

The CHANCELLOR of the EXCHEQUER bore testimony to the fairness and care exhibited by every Member of the Committee, whose report had been referred to, with respect to every question brought before them. Nobody who read the evidence could deny that great abuses were proved both in respect to claiming and objecting to votes. With respect to claims arising out of splitting tenements, he thought that the hon. and learned Gentleman was right in not meddling with that subject, as it involved considerations somewhat of a constitutional character. With respect to every point contained in the Bill, the Committee were unanimous; and he, therefore, thought it extremely desirable that the House should have the opportunity of considering the details in Committee, as the Bill, as far as it went, came before the House in accordance with the unanimous recommendations of the Committee.

Mr. GISBORNE hoped the authors of this measure would, before it went into Committee, reconsider the provision with respect to double entries. That practice was said to favour personation; but, surely, a party who was in circumstances to have a right to be registered in more than one polling district, would be likely to be pretty well known. The other provisions of the Bill appeared to be beneficial.

Bill read a second time.

HOSIERY MANUFACTURE BILL.

Sir H. HALFORD, in rising to move the Second Reading of the Hosiery Manufacture Bill, observed, that he could have no difficulty in making out the extreme distress and misery of these work-people. The degradation and distress of the framework knitters became a subject of commiseration and sympathy many years since. In 1819 a man, to whose memory Leicestershire looked back as to that of one of the first of her worthies—Robert Hall, then a minister of religion at Leices-

ter—made an appeal on behalf of the suffering framework knitters, and spoke of —"reduction of wages such as to place the means of subsistence totally out of the reach of the industrious poor;" adding—"That the labourer is worthy of his hire, is as much the dictate of reason as it is of Scripture; and if there be any spectacle which shocks the natural feeling of justice, it is the sight of industry rewarded with famine, of a life devoted to severe and incessant toil without the power of procuring the means of its own support."

The distress returned afterwards with aggravated force, and had continued to the present time. In 1844 a Commission was appointed by the Crown to investigate the subject fully, and the Commissioner made an able and elaborate report. He adopted, in that report, the statement of a witness—

"That while stocking-making had been unpressed by any competition with inanimate power, or even factory regulations or influence, it remaining a hand domestic employment almost without exception, the rate of wages was probably of less average amount than that realized in any other department whether of skilled or even unskilled labour."

The Commissioner added, that within the last thirty years, the progressive reduction of wages would average, through the whole range of the manufacture, 30 to 40 per cent. The wages, which were 7*s.* when Robert Hall wrote, had fallen to 4*s.* 6*d.* for the same article in the three years ending in 1841. The Commission had issued, after a period of fuller employment than usual; but the Commissioner stated the average earnings of each frame at from 5*s.* to 6*s.* per week, and there had been a great reduction since then. The Commissioner took, not a fancy article, which might have partially gone out, but one of the most staple, and regular, and ordinary articles in the trade, made in narrow frames by manual labour, and which had never been interfered with by the application of improved machinery or steam power; and the gradual depreciation of this article was from 7*s.* 6*d.* per dozen in 1815 to 4*s.* 6*d.* in 1841. The Commissioner remarked the consequence of such low and scanty wages in the want of comfort in the dwellings of these people, and in their wretched supply of clothing. In the evidence which he took, Mr. Allen, chairman of a board of guardians, stated that the women, in their confinements, were often altogether without clothes and bedding, and that the destitution and wretchedness of knitters were so great that relief had been granted them although in work, the objection to grant relief in aid of wages being overruled by the hardships and sufferings of the applicants. Another witness said—

"Wages are reduced to the *minimum* of existence; no set of men in the whole country have had to endure such privations as the stocking-makers of Hinckley and the neighbourhood."

Mr. Biggs said—

"Hunger and distress are fast destroying all honesty in one sex, and chastity and decency in the other."

Another witness—

"Females are in that state of wretchedness that they are indifferent about appearances altogether; their spirits are depressed and broken."

The Rev. T. Stapleton—

"Whole families sleep in the same room, and sometimes three and even five in a bed."

Another witness, T. Chaplin, said—

"There are hundreds of people in Hinckley who have no bed to lie on, and scarcely any furniture of any sort in their houses; there are many families who exist on about 1l*d.*, and from that to 1*s.* a-head per week. The increase of demand brings no increase of wages. There is now more work to be done than men are able to perform, and has been for a length of time; but wages keep falling, notwithstanding there is such a demand, and the quality of the goods increases. The goods are superior almost every week to what they were."

Again—

"Almost invariably the framework knitter is wedded to his trade, and by his poverty-stricken state all his family are so too; they are born to it, they remain there, and they die there."

Education was out of the question, except at the Sunday school: the parents could not spare their children's labour; and frequently they were kept from the Sunday schools for want of clothing. The Rev. G. Dealtry stated—

"The children of framework knitters do not attend the Sunday-schools in proportion to their numbers. National schools, if established here, would be utterly useless, the parents being too poor to spare their children from work after five or six years of age."

Now, these being the facts, would the House refuse all consideration of the case? He did not ask any hon. Member to pledge himself as to details; he only asked them to assent to the second reading of the Bill, and proposed then to refer it to a Select Committee, that the responsibility might be shared more extensively, and a foundation well laid for legislating upon the subject. The causes of the distress he had described were not inherent in this manufacture; it was the manufacture of a staple commodity, an article of universal

use—it might almost be said of absolute necessity. It was pressed by no competition with power; and fashion had not affected the main articles of production, those used by the mass of the people. Compare the condition of the same class of artisans in Saxony with our own. The Saxons had supplanted us in nearly all third markets; their exports to the United States alone in 1843 were three times the amount of ours to all the world; and Mr. Felkin stated in his evidence that the dwellings of the Saxon artisans were much better furnished than those of our own, and the workmen appeared clean and decent in their condition and circumstances. It was the same also in Scotland, as to which he (Sir H. Halford) had the evidence of a Leicester man, who went there and examined into the condition of the knitters; the wages there were a third more for hosiery goods than in England, and the trade was free from the vicious practices this Bill was intended to suppress. A petition had been presented to the House by Leicester framework knitters engaged under a system of no frame rent and charges, and working in frames belonging to manufacturers without being subjected to any deduction from their wages; and they from their own experience prayed the House to pass this Bill and place others on a level with themselves. The great complaint of the workmen was founded on the heavy deductions made from their wages; there was 40 per cent difference between their gross earnings and what they actually received. A heavy rent was charged for each frame, and the workman was obliged to find a place for it to stand in, and to pay for this if he had it not in his own house, and sometimes even if he had. He had also to pay the middleman. Frame rent varied in amount, and was very often excessive; it formed a deduction from the wages, regulated by no fixed rule. Many employers were themselves hostile to the system, but had not been able to meet the undue advantage which its discontinuance would give others. Mr. Biggs stated that frames were a good investment for a manufacturer, if he could sell the produce of them as it was made. He himself employed 1,000 frames in 1835 and 1836. The demand, he observed, was greater than could be supplied, though wages did not appear to have risen. The frame rent paid in for the two years was 5,100*l.*, against which he set interest of a capital of 8,000*l.*, supposed to be the value of the frames, at 5 per cent for two years, 800*l.*, and cost of repairs 2,450*l.*, that sum covering wear and tear, and putting depreciation of the property, according to his own admission, out of the question; in all, 3,250*l.* had to be deducted from 5,100*l.*, which left 1,950*l.* for the two years, or 975*l.* a year net profit, besides 5*l.* per cent. interest on the capital invested, and all the profits from the sale of the article; making, in all, 17¼ per cent interest on the capital. In the case of a great bankruptcy, the frames, amounting to four hundred, were sold for 1,350*l.*

"The rent of these frames, if employed," said the Commissioner, "would, according to the custom of Leicester, range from 1*s.* a week upwards, according to width and gauge, and therefore would have realized a rental of 20*l.* a week at least, or upwards of 1,000*l.* per annum, on a property the intrinsic value of which was thus proved to have been but 1,350*l.*; the expenses of keeping them in repair would have to be deducted, and of course the rental at any periods they might happen to be totally unemployed."

Mr. Boultbee Brooks, a framesmith at Hinckley, was asked—

"What do you think is the fair average of expense of repairs in a year, one frame with another—the common narrow frame? He answered, 3*d.* or 3½*d.* a week would keep them in capital good repair; that would allow them good insides, and everything to keep them up to the mark." "And would you undertake to do a large number for that? To be sure I would, and should like to do it—

	£.	*s.*	*d.*	£.	*s.*	*d.*
400 frames for	1,350	0	0	3	7	6
Rent at 1*s.* a week... ...	1,000	0	0			
Deduct repairs at 3½*d.* a week	303	6	8			
	696	13	4			

More than 50 per cent."

Mr. John Alvey said—

"The total number of frames in Bulwell making gloves and long hose, which are made in one kind of frame, is 550, and the average value is 6*l.* a frame, making the aggregate value 3,300*l.* Each frame will pay 1*s.* 6*d.* rent, thus paying annually for the 550 frames the sum of 2,140*l.* The bagman's charge is 1*s.* a week for taking in one man's work, amounting, annually, to 1,430*l.*, so that, for a capital of 3,300*l.* invested in frames, the rent is 2,145*l.*, and all that has to come out of the workmen's annual wages. That has caused the trade to be in the condition it is. The by-frames being introduced into the country, the work has been gradually reducing, and we have been getting worse. An extension of commerce is of no use to us in the state that we are at the present time."

A gentleman somewhat opposed to the present Bill, who, however, was conscious that a grievance existed which absolutely required redress, had communicated on the

subject with manufacturers in a place in Nottinghamshire, Sutton-in-Ashfield :—

" I proposed," he said, " a poundage of 1*d.* in the shilling in lieu of rent. One of them saw no objection of any weight, but the other two were strongly opposed to it, and quoted a return of the earnings of 500 men, women, and children, employed in coarse cotton work. They averaged 4*s.* 7½*d.* a week at the warehouse, and 4*s.* 7½*d* would not give 5*d.* a week in lieu of 10*d.* I said that manufacturers could help themselves by reducing the price of goods 5*d.* if necessary, and that others must lose part of their rents in that branch; that I remembered when in my branch a lad used to be required to get 14*s.* a week, net, for his master, and for board, lodging, and teaching, and did get it, and made a good deal of over-money for himself; that such a statement as 4*s.* 7½*d.* each, gross wages, for 500 hands, was itself evidence that some decisive measure was needed ; that such a state of things was a scandal to the country; and that, although I had signed against your Bill, I should discharge my conscience by telling you so."

The grievance was greatly aggravated by the system of middlemen, who took work from the manufacturers, making one bargain with the manufacturers, and another with the workmen. These persons had the workmen absolutely in their power. A case of oppression was mentioned in evidence by Mr. Absalom Barnett, who, as chairman of a board of guardians, had an opportunity of becoming acquainted with the circumstances. A man resided with a pauper widow; himself, wife, and two children composed his family; he rented a room upon condition that he should also rent two narrow coarse stocking frames. Each of those frames was stinted to one dozen a week; he paid 9*d.* a week rent for each frame, standing 3*d.* each, winding 6*d.* each, and taking-in 6*d.*; and the rent of his loom was 1*s.* 3*d.* To a young man in his circumstances, the stint to both frames was not sufficient work for one frame. The distribution of work was in the hands of the middlemen, who went to the manufacturer and took out the work. By means of the irregular profits they made, they were able to undersell the fair manufacturer; and hence depreciation and depression in the trade. M. J. W. Hancock gave an explanation in reference to the truck system, which was equally applicable to frame rent. Evidence, indeed, was repeatedly given against taking frame-rent. Mr. R. Wileman, being asked whether it was his practice to take frame-rent, replied, " I am sorry to say it is. That is a great bane and a great curse to the stocking makers." He had felt compelled to take it; others did so, and made great profits. Mr. John Rogers also gave evidence against the system, as the following extract from his examination showed :—

" What proportion of your hands work direct to yourself?—Very few ; although I wish to promote it to the utmost extent I can. I think the greatest curse in the trade is that of working through second hands. I think it is an injury both to the masters and the men. There is no difficulty with the men I have had to do with individually ; not unless they are very vicious indeed."

Mr. W. Hannay, a magistrate of Nottingham, said—

" My own notion is strongly against taking frame-rent. I think it bad in its working department, and the source of great annoyance to workmen and employers. My notion is, if you extinguish frame-rents you would decidedly do away with the bane the trade labours under, that is, the system of middlemen. You will make the trade better, and the men far happier by the abolition of frame-rents."

Mr. John Ward, partner in a firm employing upwards of 4,000 frames, gave similar evidence. The objects of the Bill were three: first, to do away with the subcontractors; secondly, to do away with frame-rents; and, thirdly, to require manufacturers to make entry in their books of the wages actually paid. One objection made to such a measure was, that the tendency would be to make the master employ the workmen in factories, rather than in domestic manufacture. But the advantages which the manufacturer possessed when the workmen paid for the use of the machinery were such that the system was not likely to be abandoned for the best and most economical mode of conducting the manufacture. The employment of middlemen was attended by the employment of workmen in shops; which, however, the Bill would discourage. The chief objection to the measure was founded on the principle which was asserted, that there ought to be no interference with the operations of trade. It was somewhat remarkable to observe the circumstances connected with the distress of the framework knitters. When Robert Hall wrote on the subject, Cobbett was employed to answer him, and sought to divert attention from the object of Robert Hall, by representing the distress of the framework knitters as owing to a cause which applied to them in common with others of the industrious classes, namely, the burden of taxation. Mr. Cobbett told them, that there would be no remedy for them till they got a reform, which would do away with the burden of taxation. The Reform

Bill had passed, however, and had not improved their condition. There was another generalization, which had been used upon the occasion of introducing the New Poor Law. It was said that the extremely low wages were occasioned by the allowances which were made under the old Poor Law, and that if that practice were done away with, wages would rise. Well, the New Poor Law had passed, and wages had not risen one jot; they were, in fact, formerly higher than they were at present. It was found impossible to do away with the practice referred to. The principle of the New Poor Law was adapted for a sound state of society; but this was not a sound state of society to which he was referring. There was another generalization, which had been used more recently. They had been told that they would find a panacea for their grievances in the repeal of the corn laws. The repeal of the corn laws, however, had brought no relief; and he thought it would be easy to show, that the adoption of a system of free-trade added infinite strength to their claims. Free-trade was a national challenge to competition. He had already shown that the hosiery manufacturers of this country had been supplanted by Saxon competition; and, if free-trade were adopted, it would be still worse, for there would then be an entire absence of protection to their manufactures. What he asked for on behalf of the stocking-makers was nothing more than fair play. He wanted them to be put on an equal footing with their Saxon competitors. But the present generalization was the abstract principles of political economy. It was said we must not interfere with the operations of trade. It was said the workers ought to transfer their children to other employments. This had been urged long ago. Robert Hall had acknowledged twenty-six years ago—

"It were much to be wished that parents would cease as much as possible to train up their children to this calling, that masters would take fewer apprentices, and some method could be discovered to lessen the number engaged in this branch of manufacture." "But what is to become of the existing generation? To what employ can they turn who have learned no other craft, and whose habits totally disqualify them for agricultural labour, were it to be procured? Under these circumstances to advise them to retire entirely and for ever is to recommend suicide and death."

He was well aware how inefficiently and imperfectly he had been able to discharge the duty which had devolved upon him; but, under all the circumstances, he did entreat the House not to refuse the inquiry which he desired to make. As he had said before, he believed that the main provisions of the Bill were such as would be absolutely necessary; but being anxious that the subject should undergo the fullest consideration, and that nothing should be done rashly, he should propose, if his Bill was read a second time, to remit it to a Select Committee.

Mr. WYNN ELLIS rose to oppose the Motion, and expressed his hope that the House would bear patiently with him while he offered such remarks and facts as occurred to him to warrant his resistance to the further progress of the measure. He found himself in somewhat a peculiar position, because, from the cheers he had heard, he was led to believe that his hon. Colleague was prepared to consent to the second reading, and to the reference of the subject to a Committee up stairs. He at once admitted that the picture of distress just drawn by the hon. Baronet (Sir H. Halford) was but too true a representation. He had himself witnessed scenes, the details of which would fill every Member with regret and horror. He would not yield to any man in the desire he felt to serve those whose case was now before the House; but he was convinced that the evils sprang from different causes. In his opinion, the real sources of these miseries were to be found in the want of information on the part of the operatives; the want of knowledge how to direct themselves; the absence of proper self-control; and the habit of bringing up their children to the same way of life in which they were engaged. The children had thus to pass through the same miseries that their parents had endured. He saw no necessity, at all events, for referring the Bill to a Select Committee; for not long since, a full inquiry had been undertaken and performed by a Commissioner, and from his report the House was already in a condition, as far as information went, to legislate upon the subject. He was confident that he could show, from the report of that Commissioner, that the causes he had assigned for the present melancholy state of things were the true ones. The first extract he would read, was from page 26:—

"The amount of wages, or rather perhaps the standard by which they are regulated, in all branches of trade, at all times, and in all countries, will be governed mainly—1st, by those circumstances which affect the supply of labour; and 2nd, those which influence the demand, and funds for its employment. If labour be redundant, and

exceed the demand for it, it will be cheap, in spite of strikes or combinations, or any of the innumerable expedients which have been so often and so injuriously resorted to for years past to give it an artificial value. If, on the contrary, it be from any circumstances scarce, it will increase in value in proportion to the extent in which the scarcity is felt by those anxious to employ it. The only limit to the employment of labour is the improbability, or impossibility, of the employer realizing a profit on the produce of industry. For a series of years past the supply of framework knitters has almost invariably exceeded the demand for them, and hence the value of their labour has been progressively, if not constantly, diminishing, except in a very few of the fancy branches of the trade where considerable skill is required, and in which, consequently, the number of competitors for employment has been proportionately lessened."

The following, from page 106 of the same report, was applicable to the same argument:—

"As regards the injury the framework knitters are alleged as doing themselves by bringing up their families to the same occupation, it may be observed generally, that the lower we descend in the scale of society, the less frequent is the opportunity presented of choice of employment. A tradesman, or even a well-paid mechanic, who can afford to pay a premium with his child, may succeed in getting him apprenticed to a trade of his own selection; but no such opportunity presents itself to a workman who is maintaining his family on the precarious earnings of irregular and low-paid daily or weekly labour; and perhaps constantly engaged in a painful struggle with the importunities of destitution and want. If he can get employment for his children of any kind, he will, under such circumstances, be pretty sure to accept it with avidity. Circumstances of chance, rather than choice, may be said usually to determine their occupation."

The subsequent passage related to the disproportion between supply and demand in the labour market:—

"That the leading cause of the low rate of wages earned by the framework knitters is the disproportion existing between the supply of their labour and the demand for it; the latter being usually deficient, and at all times very irregular; while there is a constant manifest tendency in the former to increase, and none to adapt itself to the irregularities, or the amount of the demand. That this excess of supply arises, primarily, from the accessibility of the trade of framework knitting to the unemployed labourers of all other classes; and from the facilities with which a knowledge of the trade, especially in the common branches, is acquired."

He was sorry to be obliged to remark that since the year 1814 the export trade had been almost entirely lost. He proceeded to read the following extract from a publication issued within the last three months by Mr. Winks, a most benevolent individual of Leicester, respecting the young women of the town:—

"If one thing has pained me more than another whilst sitting to administer relief at the board, it has been to see the great number of girls from sixteen to twenty who apply for help; and some of these with one, two, and even three illegitimate children. The others, who have not thus fallen, are on every hand in danger — great danger. When asked why they do not go out as servants, they say, 'We don't know how to do the work'—and they do not; and, 'We have no clothes to go in'—and they have not. Theirs is a most sad and pitiable case. I wish my friend Mr. William Biggs (and I hope he will excuse me), or any other benevolent gentleman or lady, would take this matter in hand, and establish an institution like the Asylum in the Newark, only on a more liberal and comprehensive scale, for these poor girls. What a blessing would such an institution be to hundreds of young women! Good and clever girls as servants are scarce—that every lady knows. Those from the Asylum are eagerly sought and secured as fast as they are ready. The vast importance of this matter is well set forth by Thomas Beggs, in one of his valuable essays just published."

These were the causes of these people's misery, and not frame rents. It had been stated, that the gross wages of 500 hands in Leicester, engaged in framework knitting was 4*s*. 7½*d*. a week each. This might be true of some branches; but he assured the House that there were much higher wages earned in other branches. Leicester, Nottingham, and Derby, were the great seats of the hosiery manufacture; and in those towns, industry, talent, and ingenuity had produced a great extension of machinery and a vast increase of wealth; although, therefore, it was true that remuneration was low in particular branches, it was not the case in all. He could point to several branches where the earnings of the workmen were larger; and the Commissioner, in his report, bore testimony to this fact. The same writer went on to show how it necessarily happened that they were bad wives and mothers, and that their husbands were reckless and intemperate. The hon. Baronet (Sir H. Halford) had last year passed an Act upon this subject; but owing to some defect in the interpretation clause it became inoperative for the principal object in view. Why, then, had he not this Session introduced a Bill to remedy that defect, and then it would have been seen how the principle operated? The hon. Baronet had, however, taken a different course. He had brought forward a measure, which the more it was examined the more it would be found that it was vexatious and expensive to the manufacturer, and injurious to the operative. It embodied also a principle which, if he were not much mistaken, the House would not

consent to sanction. It had three objects: first, the abolition of middlemen; secondly, the establishment of book keeping; thirdly, the extinction of frame rents. He would take the liberty of explaining to the House what sort of persons the middlemen were whom it was proposed to do away with. They were the most intelligent and trustworthy men of the operative class. They acquired the position of middlemen because the master manufacturers knew they could have more reliance upon them than upon the other workmen. Their prudence and good conduct often enabled them to save money, with which they procured frames of their own; they hired a shop, and let out the frames at so much a week. He did not mean to say that there were not some abuses in the system; but what he maintained was, that the evils were overbalanced by the advantages, and particularly by the stimulus it held out to good conduct on the part of the workers. One of the most wealthy, amiable, and respectable men in Leicester had been originally a framework knitter, and had afterwards pursued an honourable and industrious course upward through the degree of a middleman. Would the House, then, sanction a principle which told the framework knitter that that avenue to distinction was closed against him? The remuneration of the middlemen was represented by some as excessive; but the representation was not correct. The middleman was responsible to the manufacturers for those under him; and having risen to this position, he saw no reason why the middleman should not be upheld in it. Except through the instrumentality of the middlemen, many of the operatives who had lost the confidence of the masters would be unable to obtain employment. It would be deeply to be regretted, therefore, if the House were to adopt a system which would shut out from employment individuals, who having once blemished their characters, were not permitted by their industry and ability to re-establish it. The adoption of the Bill would render it necessary for the manufacturers to build extensive warehouses, and they must derive a per-centage upon the capital employed for that purpose by raising the price of their goods; but the goods would not bear an advance in price in the present state of competition with foreign manufactures. The hon. Member who had just addressed the House, said, that our manufacturers had been shut out of several neutral markets in consequence of having supplied them with inferior articles; but that was not the case. The real cause of the diminution of trade was the severe competition to which our manufacturers were exposed with foreign rivals, who could obtain labour on cheaper terms than ours could. He begged to be allowed to state on his own knowledge, acquired within the last few days, that if foreign countries would but direct a little more attention to the fashion of the articles they manufactured, and would produce a commodity of a better description, which would sell in Great Britain, the protecting duty could be paid upon them, and a profit could be made upon the disposal of them. The system now sought to be established would be more detrimental to the quick and industrious than to the slow and idle operative; and he especially referred the House upon this point to the evidence of Thomas Finney. He maintained, too, that the employment of people in large factories would be prejudicial to them in a pecuniary point of view, and entered into some calculations to show that the earnings of a good workman would, under such circumstances, fall short of their present amount by 4*s*. 8*d*. a week. He likewise, with the view of showing that the hon. Member for Leicestershire had considerably underrated the amount of wages received by workmen in Leicester, read a statement, from which it would appear that in some cases workmen were earning 15*s*., in others 13*s*., in others 11*s*. clear each per week. With reference to wages abroad, he would read a letter which he had received from Chemnitz:—

"Chemnitz, April 20, 1847.

"I promised you I would write you from Chemnitz on the subject of rents, &c. &c. The parties who live in Chemnitz and keep stocks and sell hosiery, are not manufacturers in our sense of the term; they do not give out material and pay wages—they buy the goods (hose and gloves) week by week as they want them. They are in reality only factors. The manufacturers (really so) are men who own wooden frames, from one to one hundred, as it may happen, and let them out and take rent for them—a very small rent, varying from 3*d*. to 7*d*. per week. In the great majority of cases, they own very few frames; the goods are made in their own shops—they come and offer them for sale. The manufacture is spread over all the villages round Chemnitz for many miles. Hose hands get from 2*s*. 6*d*. to 3*s*. 6*d*. per week; the best glove hands from 5*s*. to 7*s*.; but I saw many shops where glove hands only averaged 3*s*. 6*d*. per week. There are no factories for frames—they are all let out into the villages as ours are; only, instead of the superintendent of a shop of ten frames or

more being employed by the manufacturer and paid wages, as a middleman is with us, he is here a little manufacturer, who makes up for himself and sells his own goods to the factors in Chemnitz. This mode has, of course, a tendency to reduce wages to the lowest possible level, and is precisely the position to which Sir H. Halford's Bill would reduce our trade, if it were to pass, and extinguish the middlemen. We must then throw the middlemen upon their own resources, and buy of them as we wanted, instead of, as now, incurring all the risk and occasional loss of stock, &c. But as for the workmen being employed by a small manufacturer with no capital, who could keep no stock, and could not work for a month without orders, and who would be frequently jobbing and sacrificing, employment would be first irregular, and then reduced, probably, to nearly one-half of what it is at present. If Sir H. Halford means to withdraw regularity of employment from the workman—if he means to commit him to the tender mercies of a small maker without capital, who cannot half employ him, and further by these means to get his wages reduced to the smallest possible amount, *i. e.* much lower than at present—he cannot do better than to press forward his present Bill."

The rent of a frame, then, in Chemnitz and its neighbourhood was from 3*d.* to 7*d.*, instead of a shilling, as with us, while the wages ranged from 2*s.* 6*d.* to 3*s.* 6*d.* a week. This was the competition to which our manufacturers were exposed. To the corn laws, he contended, was to be traced all the competition that had sprung up against our manufacturers. If the corn laws had never been passed, foreigners would not have possessed the advantages they had so long enjoyed; but, now they were repealed, he feared that, if such a measure as that now proposed were adopted, the competition would be greater than this country could sustain. He thought that he could best prove his earnest desire to serve the labouring classes of the town he represented, and its neighbourhood, by telling them that they were building upon a sandy foundation if they imagined that legislation like this would be beneficial to them. They must look for far different measures, or they would have to endure trials and to pass through an ordeal for which they were little prepared. Having read two farther extracts from the report of the Commissioner, in order to put the House in possession of the fullest information on the subject, the hon Member went on to impress upon it the injustice and injury that would be inflicted upon the owners of frames, if this Bill were passed into a law. Undoubtedly many manufacturers were the proprietors of frames; but most of them belonged to persons in a lower sphere, who had perhaps five, ten, or fifteen, and who derived a comfortable income from them in times of prosperity. He wished to know on what principle the House would proceed when it declared by statute that the whole of this property should be extinguished. As to the profits derived from the rent of frames, the hon. Member read an addition to that part of the evidence of Mr. Biggs which had been introduced by the hon. Baronet who moved the present stage of the Bill, particularly with reference to the length of time frames had been entirely out of employ from 1837 to 1843. A reference had been made to the case of an unfortunate manufacturer, in order to show that 400 frames had been sold at about 3*l.* 17*s.* each; but the fact was, that some frames were worth 30*l.*, 40*l.*, or 50*l.* each, and on an average they cost considerably above 20*l.* No fallacy, therefore, could be greater than that into which the hon. Mover had fallen, when he represented the value of frames so much below their real worth. Mr. Adcock, in his evidence, appeared to be very much opposed to the payment of rents for frames; but when the question was put to him directly, he admitted the tendency of it was to encourage the idler, whilst it injured the owner. With regard to the proposition for sending the Bill to a Committee up stairs, he feared it would be attended with the evil consequence of inducing the operatives to believe they had obtained a triumph over their employers. On this ground, therefore, he should meet the proposal with a decided negative. As to the frame rents, he would ask the hon. Baronet who proposed that they should be abolished, in the event of the Bill being carried, what was to prevent a Bill being brought in next year to abolish house rent altogether? If the principle were established in one case, it was impossible to say where it would stop. The precedent was too dangerous to be admitted into legislation; and he trusted it would be rejected. In conclusion, believing that the Bill was pregnant with great mischief both to manufacturers and operatives engaged in the hosiery trade, he should move, as an Amendment, that it be read the second time that day six months.

MR. GISBORNE seconded the Amendment. He missed from the Treasury bench some Gentlemen whom he should have been happy to see on this discussion. He should have been glad to see there the noble Lord the First Minister of the Crown, and the right hon. Baronet the Secretary of State for the Home Department, be-

cause this measure, in fact, was a corollary to the Factory Bill, and would be followed by many others of the same description. It professed to be founded on the principle of "a fair day's work for a fair day's wages;" and as the Government by their proceedings on the Factory Bill appeared to be able to say what was "a fair day's work," they had laid themselves under the obligation of saying what were "a fair day's wages. With their sanction of the principle of the Factory Bill, the Government could not resist the case of the frame-knitters. The factory workers of this country, taking them altogether, were the best paid, the best lodged, and the best educated of all the working classes; but the poor frame-knitters were at the other extreme of the scale. If, therefore, the House held out to the working classes the idea that they were able, by legislation, to improve their condition, the frame-knitters were those who ought first to be taken in hand. Yet, after the decision of a majority of that House on the Factory Bill, and the votes of the leading Members of Her Majesty's Government, he was at a loss what course they would take upon this Bill. What excuse could they offer for opposing the claims of the frame-knitters? For himself, he was perfectly free from blame upon the subject. He had lived both in the manufacturing districts and in the frame-knitting districts, and in both he had always told the working classes that it was utterly impossible for the House to do anything to alleviate their distress. He knew himself that in many cases it was absolutely necessary to make up the wages of the frame-knitters out of the rates; and he had himself land in two parishes in Leicestershire where, for several years, more shillings per acre had from this cause been paid to the poor rates than he had received as landlord. The consequence of this was, that every frame-knitter in the country brought up his children to the same occupation, so that the trade really could not maintain them, it was so excessively overstocked; and no improvement could be looked for except from a diminution in their numbers. He wished Her Majesty's Government could be induced to take wider views upon these questions. The Legislature were engaged in endeavouring to solve a great social problem—the problem of how they could enable the luxuries and the ease of the highest classes to exist without the co-existence of a lowest class, indigent, distressed, and miserable. They were trying so to divide the profits of industry and skill, which formed the national income, as to give to the highest class what its increased numbers and luxury demanded, without giving sufficient comfort to the lowest class. All their Education Grants, Factory Bills, Colliery Bills, and this Hosiery Bill, were so many struggles with the difficulties of this great problem. The United States of America had wisely avoided it altogether. The aristocratic institutions of France had sunk under it. We alone carried on the struggle. Humanity and morality forbid us to allow our own people to suffer; but, at the same time, we were too rigidly aristocratic to allow the masses to rise in the social scale. He was aware that every step ought to be taken with strict and almost mathematical demonstration, and that this was hardly a fit thing for discussion in a public assembly; besides, he was willing to own that up to this time the working classes had struggled manfully against this state of things with considerable success. But if this legislation were continued, his belief was, that they would destroy their self-reliance. There was not a situation in this country to which a subject could aspire, to which members of the working classes had not attained. Men sprung from the working classes were found both upon the legal and ecclesiastical bench, in the Queen's Council, and in every department of art and science. He therefore warned the House and the Government against meddling with a system that up to this day had produced such results. The most dangerous things they could do was to bring in Bills which would take the management of their own affairs from the hands of the working classes; for it was their self-reliance that enabled them to raise themselves, and it was a virtue that might be eradicated. He reminded the House that the last Bill introduced on this subject by the hon. Baronet failed from the general want of confidence in it both on the part of masters and men. [Sir H. HALFORD had that day presented a petition both from masters and men desiring legislation upon the same principle.] He was happy to be corrected if he were in error. How, he would ask, could the House consistently give this Bill a second reading, and affirm the propositions it involved? The first principle of it was, that there should be no frame rent; but he contended they might just as well enact that the owner of a frame who had a house should

not be entitled to receive rents for his house. On what principle could it be enacted that the man who had invested money in frames should not receive interest on his capital? Another principle of it was to push down middlemen. He did not know why it was to be considered an offence to be a middleman. But the fact was, the whole Bill was founded upon the assumption that the hosiers were the most destructive and hard-hearted class of men in the country. He repeated it was the greatest kindness to the poor to teach them not to rely upon that House. The House was certainly desirous of improving their condition, and every one of these Bills was a proof of it; but it could not be done by legislating between employers and workmen. The case of the Spitalfields weavers was a case in point. Their wages were regulated by Act of Parliament. They were pets of legislation and charity. From their cradle to their grave they had been the care of the Legislature, and after all, according to the testimony of their best friends, all this care had proved an evil to them as well as to the country. He warned the House against a similar result in this case. The practical suggestion of the Bill obviously was, that instead of trousers and socks, everybody should wear knee breeches and white hose. In conclusion, he repeated that after their proceedings on the Factory Bill, the Government were bound to take the frame-knitters at once under their care, and that he should have been happy to have seen the leading Members of it in their places.

After some conversation, the debate was adjourned.

THE MEDICAL REGISTRATION AND MEDICAL LAW AMENDMENT BILL.

Mr. WAKLEY, in rising to move the Order of the Day for the Second Reading of the Medical Registration and Medical Law Amendment Bill, presented upwards of twenty petitions from medical practitioners, apothecaries, physicians, and surgeons, praying that the Bill might pass into a law in the present Parliament. The right hon. the Secretary of State for the Home Department, who last Session had promised to give his aid and assistance in passing a Medical Bill, had intimated, that afternoon, that deputations from some of the colleges had been appointed to wait on the right hon. Gentleman, for the purpose of laying before him the objections which they entertained to this Bill; and at the request of the right hon. Gentleman he had consented to postpone the second reading to Tuesday next. He gave notice, at the same time, that it was his intention to move that, after the second reading, the Bill be referred to a Select Committee. Those who objected to the proposed alteration in the law would then have a full opportunity of stating their objections and of having them refuted; and he trusted that when this necessary investigation was concluded, the House would consent to pass a measure which there could be no doubt would be beneficial to the profession and to the public. Seven Medical Bills had, time after time, been introduced: this was the seventh; and if there were to be seven more, this, at any rate, was the last he would have anything to do with. The state of the medical law was at present most unsatisfactory, and he thought it was the duty of the Legislature to take the subject as early as possible into consideration. Some of the various corporations, he understood, had come to the conclusion that their interests would be injuriously affected, were such a measure as this to be adopted. That might or might not be the case; but, whether or not, the House was bound, in inquiring into the facts, to look to the general interest of the profession, and not to the profit or loss to a few parties. He would beg of the right hon. Gentleman to remember that the objections about to be urged in private by the deputations he had mentioned, ought not to influence the opinion of the right hon. Gentleman on the course he would take; he ought to be guided solely by the facts, and the facts could only be brought to light before a Committee of that House. Back-stairs influence had on too many occasions swayed the decision of that House; and he was sure the right hon. Gentleman was too highminded and of too independent a judgment to give undue importance to the representations which might be made to him in private. He moved that the Order of the Day be read, in order that the second reading might be postponed to Tuesday next.

Sir G. GREY had stated that morning, in answer to a question, during the absence of the hon. Gentleman from that House, that he had received three deputations—one from the College of Physicians, one from the College of Surgeons, and one from the College of General Practitioners all pressing on him the great importance of appointing a day when they might wait

on and lay before him the great objections they entertained either to the principle of the Bill or to some of its details, previous to proceeding to the second reading. He had since received three other deputations —one from apothecaries, one from accoucheurs, and one representing individual gentlemen; and the same representation had been made, and the same delay had been asked for. It was quite true, as the hon. Gentleman said, that objections urged in private ought not to influence the course which a Member of that House should take in dealing with a measure of this nature; but as those parties were deeply concerned in the probable operation of the Bill, they had a perfect right to be heard, and it was for this reason he had requested the hon. Gentleman to postpone moving the second reading until next week.

Mr. HUME apprehended that the right hon. Gentleman would find it much more convenient to hear the parties to whom he alluded before a Committee up stairs. All the difficulties experienced by the hon. Gentleman, in inducing the House to amend the medical law, had resulted from his having been assailed privately: the facts of the case had always been carefully hid, and the appointment of a Committee was now the only way by which they could succeed in making the question understood and the truth known. He was afraid the right hon. Gentleman would experience a great deal of trouble, and lose the whole of Saturday in listening to these deputations; it would be much better to wait until they could be referred to a Committee.

Sir J. GRAHAM thought that the appointment of a Committee would very much depend on the answer which he hoped to receive from a question he would put to the hon. Members for Finsbury and Montrose; would they undertake to employ their time, the one by presiding over, and the other by attending, that Committee, until all the complaints of all the deputations referred to had been exhausted? If the hon. Member for Finsbury would say that he would take the chair of the Committee, and if the hon. Member for Montrose would promise a daily attendance, he (Sir J. Graham) should be very much disposed to support the proposition. Let them not, however, hear of loss of time. If those hon. Gentlemen would not give up their time and attention to hearing the complaints which the Secretary of State professed himself ready to hear, it was not very unreasonable on the part of the House not to entertain with any great favour this Bill.

Mr. WAKLEY could make no such promise. He firmly believed that if he did make it, and were to adhere to it, it would be at the sacrifice of his life. He feared that he would have to sit in the chair till one day after eternity. He agreed with the hon. Member for Montrose that the best prospect of obtaining a settlement of the disputed points would be by consenting to the appointment of a Select Committee. [Sir J. Graham: Over which you will not promise to preside.] He would at least promise to work in that Committee to accomplish the end he had in view, and to serve the profession. He did not, however, object to hearing the deputations in private also, and he should accept the invitation of the right hon. Gentleman, and visit him at the Home Office on Saturday.

Second reading deferred.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, May 6, 1847.

Minutes.] Public Bills.—2ª Lunatic Asylums.

Petitions Presented. From Edinburgh, for the Abolition of the System of Entails, or for a Moderation of its Evils.—From Lincoln, against the proposed Government Plan of Education.—From Drogheda, in favour of the Poor Relief (Ireland) Bill.—From Factory Workers of Farrington and Preston, in favour of the Factories Bill.—From Guardians of the Headington Union, for Alteration of the Law of Settlement.—From Guardians of the Cheadle Union, for Alteration of the Poor Law Amendment Act.—From Cork and several other places, against any Clause being inserted in the Poor Relief (Ireland) Bill which would throw the Responsibility of Supporting the Poor upon the Occupying Tenant.

THE MONETARY CRISIS.

Lord BROUGHAM inquired whether the noble Marquess or the Government had received any report of a meeting of merchants and bankers of the city of London on the distressing state of the money market? Yesterday it was very bad, and it was still worse the day before; and the worst accounts were received from Lancashire and Yorkshire. It appeared that numerous orders had been received from America for woollens in the West Riding, and for cottons in Lancashire; yet the manufacturers could not execute these orders, and were even obliged to stop their mills. Now, as by the visitation of the season we had been compelled to send, day by day, for fresh supplies of food from America, the happy circumstance of these

orders would have enabled us to get this food without the payment of bullion; but as these orders could not be executed, it had become necessary to send bullion. His belief was, that the great remedy would be found in both Houses of Parliament not allowing any Railway Bill to pass in future without a clause extending over a longer period the time of payment of instalments. With the old railways they could not interfere, because to do so would be breaking contract; but in future it ought to be a principle that not above a certain amount of instalments should be required to be paid up within the year. The noble and learned Lord proceeded to say, that, to his certain knowledge, the best paper in the city of London was refused at the end of last week and the beginning of this at 12 and 13 per cent discount. In a very short time, the instalments would be called for under the new Railway Acts; and there was such a necessity for avoiding forfeiture, that Parliament might make what terms they pleased. This suggestion came from him backed by a very high authority in the money market and the city.

The MARQUESS of LANSDOWNE was understood to say, that within the course of a few hours the noble Lord at the head of the Treasury had been in communication on this subject with a very respectable portion of the merchants and others in the city; but he (the Marquess of Lansdowne) was not prepared to state what was the result of that communication,

LORD ASHBURTON was understood to observe, that any disorganization of the monetary interest in the city affected the country generally, and that the whole of the difficulty arose from the restrictions on its issues imposed on the Bank in 1844. A sudden stoppage of accommodation, on the part of the Bank, had taken place, with something like 10,000,000*l.* of bullion in the coffers of the Bank. It had hardly ever been known that there was so large an accumulation of bullion. The whole of the confusion had arisen from the restrictions, which had left the country in the predicament of having only 2,500,000*l.* in the Bank disposable, while there were 10,000,000*l.* of bullion in its coffers. The whole scheme rested on a mistaken theory, in his opinion, though the Act, no doubt, had the sanction of the late Government, as well as of the Members of the present Government, besides some of the highest authorities on the subject in the country. In 1844, he had stated to their Lordships that the measure would work pretty much as it was now working. It was a great mistake to suppose that any additional accommodation given to the country must be shown in an additional issue of bank notes. The amount of notes had varied but little; it had been sometimes at 20,000,000*l.*, sometimes 20,400,000*l.*, and sometimes 20,500,000*l.*; but it had never reached 21,000,000*l.*: but the private securities had varied from 12,000,000*l.* up to 18,000,000*l.* On the 29th of August, 1846, the public accommodation was 12,000,000*l.*; in April, 1847, it was 18,000,000*l.*: but the whole amount of notes issued, instead of increasing, had decreased in that period. Any apprehension of the issue of notes increasing in proportion to the amount of the accommodation given by the Bank, was incorrect. He thought it impossible that the Government should sit down with things as they were at present, when, for the first time in the memory of most of their Lordships, Exchequer-bills had been at a discount for weeks and months together. The question was one of much importance; and if it had not been for fear of occupying too much of their Lordships' time, he should have been sorry to pass it over in so slight a manner as he had done.

EARL FITZWILLIAM thought the Government were exceedingly indebted to the noble Lord for turning the attention of the House to this subject in rather a different point of view from that which had been taken by the noble and learned Lord. He thought nothing could be worse for the country than that it should take for granted that the present state of things arose from one simple cause, and that cause the railways.

LORD BROUGHAM had said that was one cause only.

EARL FITZWILLIAM had great doubt on the point. The same cause had existed in the last Session of Parliament; but not being accompanied by certain other causes now in operation, had not produced the effects that were now observed. His hon. Friend had said, that the Bank Act of 1844 had the concurrence of both the leading parties in Parliament, and of many other parties of high authority in such matters; but he (Earl Fitzwilliam) thought he had observed that Parliament never legislated worse than when the two leading parties in the State, by accident, concurred in any particular opinion.

LORD BROUGHAM observed, that what

he had said that night was in continuation of what he had said on a former night on the same subject.

Lord WHARNCLIFFE rose simply to state his view to be, that the causes which his noble Friend near him (Lord Ashburton) had assigned, were really not those which had led to the present unfortunate state of the money market. In his opinion, the Act of 1844 was founded on sound and just principles. If there had been no such regulation of our monetary system, it was his belief, and that of very well-informed parties who had communicated with him, that the country would have been in a very much worse position than at present. The amount of liabilities in the banking department in August last had been reduced by April very considerably. Looking at what had passed within the last eight months—considering the vast sums invested in railways—and the high price of grain, owing to the great demand in consequence of the famine in Ireland—it was to him a matter of surprise that the country was not in a worse condition than that in which it now was placed. He believed that but for the security afforded by the Act of 1844, the pressure would have been greatly aggravated.

Lord ASHBURTON spoke in explanation, and was understood to complain of the conditions imposed upon the Bank by the Charter of 1844. With a reserve of more than 10,000,000*l.* of bullion, the Bank was restricted in affording accommodation to the commercial world, so as greatly to embarrass the trade of the country. By its charter, the Bank was compelled to adopt the same course under every possible variety of circumstances; it adopted the principle of Le Sage's Doctor Sangrado, and applied the same remedy to every disease.

POOR RELIEF (IRELAND) BILL.

The Marquess of LANSDOWNE moved that the House resolve itself into Committee, when

The Earl of RODEN said, that in a question so deeply affecting the interests of the country in which he resided, he felt that it would be wrong if he were altogether to remain silent. He had listened with very great attention to the speech of the noble Marquess opposite by whom this measure had been introduced; and he had heard with great satisfaction the clear, candid, and eloquent statement which the noble Marquess had made on that occasion. He had also heard with considerable satisfaction the expressions made use of by the noble Marquess in enforcing what he might term the great feature of this Bill, which he at one time feared would prove detrimental to the best interests of his country; but he heard with great satisfaction the statements of the noble Marquess, that the provisions for giving relief to the destitute poor did not give a right to any man to claim relief under the provisions of this Bill, but that they were intended by the Government to confer a power upon the Commissioners of the Poor Law and the guardians to give out-door relief under the most cautious circumstances, whenever it should be found necessary. He felt great satisfaction when he heard the noble Marquess make this statement; and he confessed it had relieved him from many serious apprehensions he had previously entertained as to this part of the Bill. He had listened also with great attention to the speech of the learned Lord, and to the speeches of other noble Lords who had addressed the House with great eloquence and power upon this subject. But there was one circumstance which characterized all their speeches—that it did not appear to him that any of them were agreed as to any other measure which might be proposed as a substitute for this Bill which was now before their Lordships. At the same time he believed there was no one who would undertake to say what would be the effects of the working of this measure in Ireland. He believed that even the noble Marquess would not hesitate to admit that for good or for evil it must be attended with very serious consequences. But the circumstances in which the country were placed, the events which were passing before their eyes every day, seemed to be the grounds on which the noble Marquess founded his justification for introducing this Bill. It was indeed impossible for any man who had been thirty years resident in Ireland, as he had been, and who had consequently become well acquainted with the circumstances and the peculiar siuation of the country, not to have long foreseen that there were evils existing there which must sooner or later have brought matters to a crisis; and that the evils existing in that country, though they might for a time lie hid, would ultimately burst out as they had now done. He knew he was addressing many noble Lords who were unacquainted with the circumstances of Ireland, though

they, with the generous feelings of their countrymen, had shown the deepest interest and sympathy with their sufferings, and had given the strongest possible proof of this that they could give, by subscribing largely to its relief. Still he could not but remember that Ireland was a part of the British empire, as much so as York or Lincoln; and as in the body human so in the body politic, it was impossible for one member to suffer without all the members suffering with it. He considered it was fortunate for the interests of Ireland that there was at the head of the Government during the present crisis a noble Lord whose courage, whose determination, and whose single-mindedness prompted him to take immediate and decided measures, whether right or wrong, for the relief of that distress. And he could not but think that in no case had that noble Lord shown his wisdom in dealing with the affairs of Ireland more than in appointing the present illustrious individual to the office of Lord Lieutenant; and he wished to take this opportunity to bear his humble testimony to the government of Lord Besborough, who, by his knowledge of the country, by his anxiety for its welfare, and his attention to everything that was likely to forward its interests, had gained the affections of all classes of the people. He (the Earl of Roden) had been opposed to that noble Lord for a great length of time, on many occasions and on a great variety of subjects; yet in spite of that opposition he had always found the noble Lord ready to listen to whatever suggestions he (the Earl of Roden) presumed to offer. He feared that the career of the noble Lord was too nearly run, and that it would not be long till his country would lose him. Yet he was the more anxious to make this statement, because he felt that one of the greatest evils connected with Ireland was, that persons were sent from England, whether as Lords Lieutenant or as Secretaries, men of intelligence they might be, men of worth, but yet totally unacquainted with the condition of Ireland, altogether ignorant of its circumstances, having so much to learn and so much to unlearn, that by the time they began to see their way, and to act for the true interests of the country, they were in the course of things recalled. So much was this the case, that it was very common for an individual after six or seven months' residence to fancy that he knew all about the country, and to propose measures which his situation gave authority to, but which were found to be deeply injurious to the true interests of the country. This also gave rise to a constant reference to the Home Office, never thoroughly done away with, except by the illustrious individual to whom he had referred, on points where there the head of the Home Office, however able in other respects he might be, was totally unfit to advise. This had been the cause of much misery and much evil in the sister country; and he, therefore, trusted that the noble Lord at the head of the Government would follow up his first appointment, should it unhappily be necessary to do so, by appointing a successor well acquainted with the circumstances of Ireland, and able, without reference to other quarters, to administer the laws and government of the country. With regard to the measure now before them, he agreed with a noble Earl, who, on a former occasion, recommended that it should be limited in its duration to a period of three or four years, so that if it were found to work injuriously it might be revised. Having thanked their Lordships for the patience with which they had heard him, he would not further detain them.

House in Committee.

Lord MONTEAGLE moved as an Amendment the insertion of words limiting the Bill to the 1st of August, 1848, and to the end of the then next Session of Parliament. He said that he brought forward the Amendment for the purpose of raising the important question whether this Bill should be made a permanent or a temporary enactment. He would not for the present enter upon the consideration of whether one, two, three, four, or five years' limitation was to be preferred, as the issue on which he wished to take their Lordships' opinion was rather on the general question whether there ought to be any limitation to the duration of the Bill, or whether it should be of a permanent character. He would proceed to explain why he thought it necessary to raise this question on the first clause; the period would be more properly discussed when the clauses came before the Committee. It was because this was the first time that the principle of granting out-door relief to the able-bodied, as well as to the aged and infirm, had been applied to Ireland. If he had proposed to suspend the whole of the Bill, he should be recommending the suspension of the provisions respecting emigration, workhouses, *ex-officio* guardians, and other parts of the Bill to which he had no ob-

jcti on, considering them amendments of the permanent law already in existence. The only clauses he proposed to make temporary were those which introduced for the first time a new principle of relief. In order to show that it was desirable to make the Bill temporary, he need only refer to the speech of his noble Friend in introducing it to their Lordships' notice on the second reading. His noble Friend on that occasion, with the candour which always characterized him, admitted the experiment to be a perilous one. That was an admission in which there were few who would not concur; and in fact he might ask whether there was one noble Lord on either side of their Lordships' House who could say that he felt no doubt or hesitation with respect to the future working of this measure. Was not this, then, an argument for making it temporary in its duration in the first instance? He would ask those who were most friendly to the Bill to consider the mode in which it had been discussed, the circumstances attending its introduction, and the time at which it had been brought forward. Objections had been already raised, and were admitted to be well founded, as to the danger of permanent legislation in a time of great and unusual danger and distress. He was himself in a position to call their Lordships' attention to some few facts, showing the danger that might attend any attempt to make an experiment such as they were called upon to sanction, of a permanent character. As to the amount of charge under this Bill, much had already been said; but though he was disposed to regard the amount of the charge or burden which would be inflicted on the country under its provisions a secondary consideration, he thought it at the same time a point which was by means to be overlooked. He had seen it put forward in a most able public journal, that this Bill was to be regarded as a sort of new confiscation of the landed property of Ireland. If that was so, it was very different from all former confiscations; because, on former occasions, what was taken from one man was given to another, whereas if the character given to this Bill were a good one, property was to be taken from one party, not to be given to another, but to be treated in a manner which would totally destroy the whole basis of property in that country. If the probable charge under this Bill was to bear any proportion to that under the Temporary Relief Act at present in operation, some idea of the extent to which it might be expected to reach could be formed from the burdens to which property in Ireland was now subjected. From the province of Munster, with which he was more immediately connected, he had seen a return, in which the estimate made for the support of the poor for three months was 11*s.* in the pound on the three months' rating, which would make the amount of the charge on the annual rating, supposing the same expenditure to continue, no less than 44*s.* in the pound. Even in the province of Leinster, which was a more favoured part of Ireland, the result of the working of the Temporary Relief Act was such as ought to open their Lordships' eyes. In many districts in that province, the rate for the three months was said to be 10*s.* in the pound, or 40*s.* in the pound for the year. One of his correspondents stated in a letter to him on this subject—"One gentleman whom I have just met, says that the rate is 10*s.* in his district, which is in the county of Dublin and in the immediate neighbourhood of the metropolis;" and he added—"But, considering the Irish character, is there room to anticipate lighter rates in future, after they have begun to expect to be fed without work?" He would beg to direct their Lordships' attention more particularly to that latter sentence. It was possible that property might recover from the effects of such a pressure upon it; but no such hope could be entertained as to the injury done to the character of the people. The evil thus done would be permanent; and need he say how ruinous would be the consequences of a permanent degradation of the character of the people? A gentleman writing to him from Tipperary said, in reference to his efforts to revise the labour lists, that "from the enormous extent to which they reach, it is almost impossible to arrive at the truth. All are most anxious to enrol their names for a share of what is going. They have no shame, no self-respect—the demoralisation seems complete. The writer proceeded to refer to the terror which prevailed as to the consequences of turning off the people employed, and said that the Roman Catholic priests with whom he was acting were unable to step the torrent. Under such a state of society, he did not venture to propose to their Lordships the rejection of this Bill; but he would ask them to pause before they made it permanent. He would ask the Government, who

of all others must be certain that this was a perilous experiment, and must feel anxious as to its results, not to persevere in seeking to put it on the Statute-book in a permanent form. It might, however, be asked, where was the difference between enacting a permanent and a temporary law? It might be said, that surely Parliament had it in its own discretion to repeal the law at any time, if it found it to be attended with bad effects. He could not agree in the propriety of viewing the question in that light. In the first place, the principle of enacting a law by way of experiment, when its operation was not sure, was not at all a new principle; and on this point he might observe, that he trusted they would hear from Her Majesty's Government what was the duration which was proposed to be introduced in the modification of the new Poor Law Commission, to which they were entrusting a power of unexampled extent over the property of the people. He wished to know if it was not intended that that Commission should be temporary? The original Poor Law was passed, if he was not much mistaken, as a temporary measure. But as regarded the Bill before them, were there not, he would ask, peculiar reasons why it should be passed as a temporary Bill? Such measures as that before them were not to be considered merely within the definite bounds of their provisions. They were to be considered in reference to the expectations which they would create in the country, quite as much as in reference to the actual enactments which they contained; and their Lordships should, therefore, bear in mind that by passing this Bill as a permanent measure, they held out to the whole people of Ireland the expectation that they were to be entitled permanently to relief. In submitting his Amendment for the decision of their Lordships, he would remind them that in supporting it no noble Lord pledged himself against the principle of the Bill. As to the other Amendments on the Paper of a like tendency, he would not refer at present to them, as he thought the great question to have decided was, not whether the Bill should be limited to two years or to three years, but whether it ought to be passed as a permanent or as a temporary enactment.

LORD ABINGER said, that he felt very deeply on this question. He agreed with the noble Lord (Lord Monteagle) that if the present Bill were suffered to pass into law, the whole available resources of Ireland would be spent, not in improving but in deteriorating the condition of the people of that country. How hard had it been found, even in this country, where it might be said there was continued commercial prosperity, to endure a Poor Law, and how many changes and modifications had they not been obliged to adopt? In England, besides, there was a substantial class of yeomanry and tenantry, standing between the landlord and the labourer, and anxious to keep down the rates and to discourage pauperism; but in Ireland the reverse of all these circumstances might be said to exist. If the proposition of his noble Friend did not receive the assent of the House, he would propose another Amendment which he thought would be serviceable, namely, to enact that after the passing of this Bill no person who entered into the state of matrimony should have any right for themselves or their dependants to out-door relief. Those who heard him seemed surprised; but really he knew no other proviso which was likely to be so effective or so successful. If their Lordships had the courage to adopt that proposition, he thought it would be found most useful, and the enactment would not take away a right at present possessed from any one. The noble Lord was further understood to say that the Roman Catholic clergymen were at present interested in promoting marriages, in consequence of the fees they received for marriages being their principal means of support; and a great deal of the misery which occurred among the lower classes in Ireland, even before the present crisis, was owing to the habit of imprudent marriages by the peasantry. He would not further detain their Lordships.

The EARL of WICKLOW was aware that the noble Lord (Lord Monteagle) had a perfect right to bring forward the Amendment which he had proposed for rendering the present a temporary measure; but, when it was considered that there were on the Paper a number of Amendments to be brought under the notice of the House, it appeared to him that it would be more judicious and expedient if their Lordships were to defer coming to any decision as to the permanency of the Bill till they had enjoyed the advantage of hearing the discussions and knowing the amendments which might be made upon the measure. The principal argument employed against the permanency of the Bill by the noble Lord, was founded on the proposal to give out-door relief; yet the very next Amend-

ment on the Paper was one by his noble Friend to remove that proposal from the Bill. Now, it might happen that this or any of the other amendments, if agreed to, would alter the opinion which their Lordships entertained on the question of permanency; and hence the propriety of these being disposed of first. He (the Earl of Wicklow) meant to propose that the Bill should last for three years; but his reasons were very different from those given by his noble Friend, who wished to limit it to a year and a half only. His belief was, that whether they passed it for one year or for three, this must be a permanent measure; and his object was to ensure at the end of three years a full discussion of the subject before Parliament. If it was then found to have defects, these could be removed; and if it proved a beneficial measure, then there would be good grounds for renewing it. He would suggest to his noble Friend that he should now withdraw his Amendment, and let the Bill pass through Committee, after which he could have an opportunity of taking the sense of the House upon his proposal.

LORD BROUGHAM, seeing the noble Earl (the Earl of Wicklow) had tendered an advice to the noble Lord who had moved this Amendment, he would give his advice also to the noble Lord, and it would be, not to adopt the advice which had on this occasion been given him. He thought that instead of being an injudiciously contrived Amendment, it was the most judicious that in the circumstances could have been brought forward. If he were a friend to the Bill, no doubt he would strenuously object to such an Amendment. He would be committing the most blundering thing in the world if, being in favour of the Bill, he were to support this Amendment; but, not being friendly to the Bill, he thought the Amendment of the noble Lord ought to be passed. The noble Earl (the Earl of Wicklow) said, that if this measure passed at all, it must be a permanent one; and yet his own Amendment was, that it should be passed for three years. He was disposed to approve of the Amendment before the House, because it would mitigate the pressure of an impolitic measure, and because, at the end of the time specified, it would give Parliament an opportunity of reconsidering that measure. He was decidedly opposed to the passing of any permanent measure under the pressure of a temporary necessity. In 1834, when they passed the Poor Law Amendment Act, they did not avow that it was more than an experimental measure, though it was based on the best and soundest principles. The question now before their Lordships was simply "permanent" or "temporary;" and in that view of the question ought the decision of every Member of the House to be given.

The MARQUESS of LANSDOWNE was very glad that he had had an opportunity of hearing the sentiments of the noble Lord (Lord Brougham) before he rose to deliver the very few words which he was now about to address to the House. In the first place, however, he would say that he thought his noble Friend (Lord Monteagle) who proposed this Amendment was perfectly justified in doing so at the time he had selected; but at the same time it could not be denied by any one that it was an inconvenient course to pronounce an opinion as to whether a Bill should be permanent or temporary, without knowing what the Bill really was. The noble Lord (Lord Brougham) had stated that he supported the Amendment, because it would injure the Bill, which he thought a bad measure. In other words, he was calling upon the House to form a deliberate judgment without having the means of forming that judgment laid before them. His noble and learned Friend announced that he took the course of supporting the Amendment because he thought it would defeat the Bill.

LORD BROUGHAM had said "limit." He said it would limit the operation of the Bill.

The MARQUESS of LANSDOWNE: "Limit!" Yes; but his noble Friend said he would support the Amendment because he was opposed altogether to the Bill. Now it was not so with his noble Friend on the bench below (Lord Monteagle) for he approved of a part of it. He had heard his noble Friend more than once state, that to one part of the Bill he offered no opposition whatever, and that the most prominent, in its character, of the whole Bill, being the clause which provided that out-door relief should be given to the sick and disabled, and to all those who were specified in the clause. Now, it could not be assumed by that House, before they came to the end of the Bill, that the Bill might not be reduced to that one clause; and if it were so, the effect of the noble Lord's Amendment would be to prevent that becoming a permanent measure. He agreed with the proposal of the noble

Earl (the Earl of Wicklow) that the House should see in what shape they framed the Bill before they decided whether it ought to be permanent or temporary. The objection he made to the Amendment was in perfect consistency with the opinion he entertained, that it was advantageous to give the measure the form of a permanent Bill. He contended, that in a measure of such importance, requiring new machinery in Ireland, and the concurrence and support of the people of that country, the very circumstance of its being held out that it was only to be temporary, was in itself calculated to deprive them of that which was essential for the carrying out of the measure. To give a temporary character to the Bill, would be to insure its defeat when it came to be put in force in Ireland. He, therefore, asked their Lordships not to hold out to the public of Ireland the idea that this was only to be a temporary measure, and thereby do that which would naturally tend to defeat its object.

Lord STANLEY: My Lords, this question lies within the smallest possible compass; but I cannot abstain from expressing the strong opinion that I feel upon it. The noble Marquess, in the observations which he has just addressed to your Lordships, has failed to answer the ground on which my noble Friend opposite has made his Amendment. In point of fact, my Lords, the noble Marquess has not denied that which is the groundwork of my noble Friend's proposition. He has not denied that this is in itself a very hazardous measure. He has not denied that this measure does introduce a class of relief different from any given before; and that a different class of persons, subjected to very different authorities and under different control and management, to an extent hitherto unknown in Ireland, will be entitled to relief; and that it will impose upon the resources of Ireland a burden which it will be almost impossible for those resources to bear. What, then, under these circumstances, does my noble Friend propose? I am sure that I shall expose myself to the attacks of my noble and learned Friend (Lord Brougham), whose movements are so rapid that I can hardly take notice of them. I shall, I say, no doubt expose myself to the charge of blundering by my noble and learned Friend, in supporting the Amendment of my noble Friend opposite. Now, my Lords, I am not hostile to this Bill. I have supported the second reading of this Bill. I think that the circumstances of Ireland are so critical, and the danger of non-interference is so great, that I think Her Majesty's Government have done rightly in advising your Lordships to take this measure into your serious and calm consideration. But, my Lords, it is not inconsistent to support the principle of the Bill, and at the same time to assent to the proposition of my noble Friend opposite. The noble Marquess admitted that this Bill is an experiment; but he also said, that if they dealt with it as an experiment they would counteract the efficiency of the measure. I, my Lords, do not concur in that view. I think, on the contrary, that the very knowledge of the measure not being a permanent one, the knowledge that every subject in connexion with it will be scrutinized by the Legislature with the utmost strictness —that the knowledge that the manner in which it shall be carried out will be watched with the greatest attention, will induce the landed proprietors of Ireland to work out its provisions with greater circumspection and energy than would be exhibited if they deemed its measures essentially permanent, and that they had only the chance of errors and defects in the administration being detected and remedied by future legislation. My Lords, I think, on the other hand, that if it be passed merely as a temporary measure in the first instance, the circumstances under which it will be carried into operation will be far more favourable than if it be carried as it now stands. My Lords, I certainly do not very well understand the principles which are contended for by the noble Earl (the Earl of Wicklow) on the back benches, who has given notice himself of an Amendment for limiting the operation of the Bill to a year and a half. [The Earl of Wicklow: No, no; for three years.] I do not see why he should oppose the Motion of my noble Friend, which says that the operation of the Bill ought to be limited to some definite period, in consequence of the very hazardous nature of the measure. [The Earl of Wicklow: I did not say I should oppose his Motion; I support it.] Of course I beg the noble Earl's pardon for having misunderstood him. I was judging from the character of his speech. I am very happy to see that it is not the noble Earl's intention to oppose the Amendment, which I hope my noble Friend intends to press to a division. For my own part, I certainly will cordially support that Amendment, although, as I have already told your Lordships, not in any

spirit of hostility to this measure—not with any desire to prevent its being tried, and not with the least desire to prevent its being safely worked as an experiment—but because I firmly believe that if it is at once to be adopted as a permanent measure, Parliament by so doing will materially impede its being effectually carried out. If, after a certain period, it shall prove to be a desirable measure, but requires to be perfected, we can then, if possible, attempt to perfect it, and then, when all its hazards are removed, I believe that it will work a deal of no inconsiderable benefit to Ireland.

The ARCHBISHOP of DUBLIN would state the grounds on which he intended to support the Motion made by the noble Lord. He wished it to be understood that he did not consider the vote he proposed giving ought to imply any hostility to the measure. It was very true that he did not entertain so much hope as, and that he did not entertain much greater fears than, many noble Lords respecting the working of this Bill; but he begged to state, most solemnly, that had he entertained much greater hope and felt much less fear than he did, he, nevertheless, should have supported the very same Amendment. He would support the Amendment, inasmuch as it had been admitted by all parties, even by the promoters of the Bill, that this was a hazardous experiment; and not only was it not denied that it was a difficult and dangerous experiment—that they would have to steer their way through rocks, and shoals, and over quicksands, but it was granted also, that the occasion of bringing forward this measure was a very great and pressing emergency—one likely to confuse men's judgments and lead them to rash conclusions. It was also universally conceded, that the Bill was of a character which could not insure success, as the noble Lord opposite (Lord Stanley) had remarked, without a very zealous and cordial co-operation by many different persons, in different situations, of different classes and descriptions, in Ireland; and unless there was among all these zeal, uprightness, and public spirit. He confessed, as he had taken the liberty of observing a few nights ago, he felt great apprehension—more, perhaps, than some noble Lords did—as to the successful working of the machinery by which this Bill was to be carried into operation. It was admitted that there were required a number of registers which as yet they had no proof existed, and of which, if they did exist, they had made no kind of trial. Had, however, all these facilities of which they were in want been at hand, still he did protest most solemnly that he should have advised caution in so hazardous and important an experiment, and should have supported such an Amendment as that put forth by the noble Lord. He was told, that predicting there would be such and such abuses, was not to be considered as offering arguments against the proper use of the measure, because the intention of the promoters of the Bill was to avoid all such abuses. He was aware of this; he gave the House and Her Majesty's Government credit for the best intentions and designs, and he readily admitted that such and such were abuses, and were not to be considered as anything else; and that every maladministration of a law was not to be confounded with the principle of the law. At the same time, the probability was not to be forgotten; and, in considering the administration of the law, they ought not to lose sight of the liability to abuse. When, therefore, they had so momentous an experiment to try, and so heavy a responsibility on them, and when there was so much uncertainty respecting the machinery by which this Bill would work, it did behove them to keep clear of all suspicion, and not rashly to pass, as a permanent measure, that of which they had not yet had a trial, and of which they could not be adequate to judge without having made trial.

The EARL of ROSSE supported the Amendment. Many and great as had been the complaints of the people of Liverpool of the hardships to which they were subjected by the vast immigration of Irish poor, they knew very well that the establishment of that Poor Law in Ireland would not prevent the Irish labourers from coming over to seek employment. In Glasgow the inhabitants suffered still more than the people of Liverpool from the immigration of Irish poor; and he had presented a petition from the inhabitants of Glasgow a short time since, complaining of the hardships they were suffering from the influx of Irish paupers; but whilst they prayed the House to establish a provision in Ireland for the aged and infirm poor, they expressed a strong opinion that it would not be well to introduce a provision for the relief of the able-bodied.

The MARQUESS of CLANRICARDE was satisfied that no Poor Law, however wisely

formed, could have been effectual under the present calamity which prevailed in Ireland. There was no doubt that many landlords had done much for the relief of the distress; but still much more was requisite than depending upon that description of relief; therefore, some measure like the present was absolutely necessary. Entertaining this opinion, he felt that whether the Bill was for good or for evil, it would be infinitely aggravated by the adoption of the Amendment. Nothing would do more to disarrange the machinery of this measure than holding it out to the people of Ireland that this Bill was only to be of a temporary nature. The Bill was not one, as had been described by the most reverend Prelate, for the establishment of indiscriminate out-door relief; for it was intended that such relief was only to be given at the discretion of the boards of guardians: to make it temporary might raise an impression that out-door relief must be given under it, while they ought to be led to consider it as the steady, regular law of the land. No doubt the present temporary emergency had something to do with the bringing forward this measure; but they were also called upon to legislate for a permanent object. There would always be a number of cases of destitution for which accommodation could not be afforded in the workhouses for want of room; and if there was no out-door relief, such persons would be exposed to starvation. It was for this class that out-door relief was chiefly intended. Was it to be said, that, at the end of three years, they would return to the lamentable state of things which had that night been so painfully described, and again leave the poor on the brink of starvation? If this was only to be regarded as a temporary measure, neither the landowners nor the tenantry would zealously address themselves to carry it into effective operation. If they adopted the Amendment, they might very reasonably be told that they were about to pass such a bad measure that they feared to make it permanent.

The Marquess of WESTMEATH felt called upon to support the Amendment, as he considered the Bill to be only an experiment.

The Earl of HADDINGTON was satisfied that that portion of the measure having reference to out-door relief should only be temporary, as it was desirable to see how the principle would work.

Lord MONTEAGLE said, that his object was to make only that part of the Bill which referred to out-door relief temporary, and he thought that it would be better to limit its operation to a year and a half, rather than three years. What he wished to secure by his Amendment was, that at the end of a certain period the Bill should be open to revision. If a Bill was brought in which would affect England, as he and others believed this measure would affect Ireland, he was satisfied there would be no hesitation on the part of the Government or the Legislature to take it as an experiment, and enact it only for a limited period.

Earl GREY was surprised that this Amendment was treated as a matter of comparatively small importance. The noble Lord said, that his object was to make the principle of out-door relief temporary; and while other parts of the Bill were to be made of a permanent character, that portion of it relating to out-door relief was only to be enacted for a limited period.

Lord MONTEAGLE explained, that he had given notice of two Amendments; the second of them was the omission of the clauses authorizing out-door relief to the able-bodied poor. But when he came to consider the provisions of the Act, he found they contained two series of legislative measures; one consisted of a number of clauses amending the present Poor Law Bill, very advisable to be adopted; the other included the relief clauses, creating a system of relieving officers, and authorizing the giving of money and relief out of doors. His proposition was to make all these relief clauses subject to revision at the end of one, two, or three years, leaving the other portions of the Bill permanent.

Earl GREY thought the noble Lord had exactly confirmed his argument. The noble Lord had proposed to leave one portion of the Bill permanent; but that part which extended the administration of relief to classes to which it had not been hitherto given, he proposed should only be temporary. And what had the noble Lord also told them? That, if he could, he would induce their Lordships to reject the principle of out-door relief altogether. But, despairing of prevailing in that, against the almost unanimous sense of this country, he called on their Lordships to accomplish by a side-wind and indirectly what he could not do directly. If he dared not altogether reject the extension of relief in Ireland, he would damage and injure the administration of that relief to the utmost extent.

That was the view he took of the noble Lord's Amendment, which the noble Lord (Lord Brougham) had truly said, it would be a gross blunder in any friend of the Bill to vote for. The effect of the Amendment would be this, to compel the trial of a great experiment under every possible disadvantage. What could be gained by it? If Parliament should have reason to think it had committed an error, it was perfectly in its power to retrace its steps. But, if they adopted the Amendment, they would try the experiment under a legislative confession that they had no confidence in its success—under a Parliamentary declaration that they expected it to fail. They were aware of the state of opinion in Ireland on this subject. It was impossible to deny there was in that country a great indisposition to grant relief—that boards of guardians had sometimes to be compelled to do their duty—and that they did not discharge their duties like boards of guardians in England. It would be in vain to attempt to deceive themselves. With those feelings existing, they must not alter the law in such a manner as to declare it, in the opinion of Parliament, to be a dangerous and inefficient one. He knew it was said there were precedents—that the English Poor Law was only passed for a limited time; but it was only the most unimportant part of that Bill which was made temporary. The more dangerous and critical was this experiment, the more firmly he was persuaded of the impolicy of not trying it under every possible advantage; but the great principle they were about to employ was not one of experiment or doubt; it was one on which his opinion was entirely made up; it was the principle that property should be compelled in one shape or another to provide a subsistence for the distressed classes of the community. That great principle had been recognised for 300 years in England; and he was prepared to recognise it, not for three years only, but permanently, in Ireland. The noble Lord mistook the opinion of the people of England on the subject. It was the opinion of the people of England—and he conceived it to be a just one—that the right of an Irish pauper to out-door relief ought not to commence when he landed at Liverpool. What was the state of things now existing? An Irish pauper when he landed at Liverpool was legally entitled, under the description of a casual poor person, to be relieved out of the workhouse if relief could not be afforded within the workhouse. The people of Liverpool, and the people of England generally, thought it was very hard that the legal obligation to maintain the poor of Ireland should commence only when they landed in this country. Whilst they remained in Ireland, and the workhouses continued full, they had no legal claim to relief. It was desirable that all parts of the empire should be placed on the same footing as regarded the maintenance of the poor. It was impossible to leave the law in its present state, and at the same time permit unrestricted intercourse between Ireland and England.

EARL FITZWILLIAM said, that his noble Friend who had just addressed their Lordships had favoured them with a gallant and hearty defence of the measure; he certainly seemed to be troubled with none of the doubts and fears which characterized the address of the noble President of the Council on a former occasion, and induced him to describe it as being a perilous experiment. His noble Friend the Secretary for the Colonies appeared to be determined to pass the Bill as it stood, whatever might be the consequences. He admired his noble Friend's courage and heartiness; but he would advise him to deal with so momentous a measure as that under consideration in a spirit of prudence and moderation, rather than of zeal and inflexibility. He dissented from the correctness of his noble Friend's statement, that the Bill would establish in Ireland a state of things which had for three centuries existed in England. The Statute of the 43rd of Elizabeth did not bear out the proposition, for it merely enacted that the inhabitants of parishes should set their poor to work, and levy a rate for the payment of their wages. He positively denied that it was the intention of those who framed the 43rd of Elizabeth, that the burden of maintaining the poor should fall upon the land; it was intended that each inhabitant of a parish should contribute the burden according to his means, whatever they might consist of. Now, it was very well known that whatever burdens were placed upon the inhabitants of the different districts in Ireland, they would all fall ultimately upon the land itself. He thought that his noble Friend had done right in moving the Amendment that was then under their consideration—and he had done right in placing that Amendment in the front of the battle. The simple object of the Amendment was this: that Parliament should not bind it-

self to the permanent establishment of the principle involved in the measure of the Government. It was in that spirit he was acting, when he was supporting the Amendment; and he contended that there could be no danger in legislating in that spirit. The noble Earl the Secretary for the Colonies, in opposing the Motion of his noble Friend, asked them whether Parliament would be deprived of the power of legislating at any future time, if they found the measure imperfect? Of course, Parliament had at all times the power of retracing their steps, or of taking cognizance of this measure; but there was a very great difference between the repealing of the Act, and the continuance of it. If they passed this Bill as a permanent measure, they would, in a great measure, be putting it out of their power of effectually legislating upon the subject at a future time.

The Earl of DEVON observed, that it appeared from reports on the subject, and finally from the report of the Commission with which he had been connected, that a large portion of the population of Ireland were, for a considerable portion of the year, exposed to the greatest wretchedness and misery, depending for their subsistence merely upon temporary and casual relief. That subsistence, miserable and uncertain as it was, had depended hitherto upon the cheapest food that could possibly be procured. The case of these unhappy beings was, however, now aggravated to a most frightful extent by the loss of the potato; and they could not maintain their subsistence unless they purchased food of a much dearer quality. The means of procuring this food could only be obtained by affording the people adequate employment. It was stated as an argument against affording out-door relief, that it would teach the people to rely upon eleemosynary assistance; but he would ask, was it possible for the peasant in Ireland to obtain by his own efforts in many parts of the country the subsistence necessary for his support? It was only possible by every person who could give employment exerting himself to afford it. He considered the measure would be useful that was likely to induce the landlords and occupiers to unite together and give that employment to the people; and if this Bill passed, in case they did not give employment to the people, they must maintain them in a state of idleness. As the law now stood, the person requiring relief could only claim to be relieved in the workhouse. Now, suppose there were ten persons who were unable to procure employment, and that it became absolutely necessary for them to apply for relief; and suppose five only of them could be admitted into the workhouse, and the other five were told that the workhouse being full, they could not, under the law, get relief, he did not think that was a satisfactory mode of proceeding. It was said that this would be a fearful experiment; but it was to be apprehended that much more danger would result from not making it permanent, and that the danger would be greater if, after giving the people of Ireland the right to claim out-door relief for three years, they then turned about and said, "This cannot be, we must repeal that law, and not give out-door relief." He believed the measure to be one of justice and necessity, and supported the Bill.

The Earl of RIPON observed, that on that occasion, however willing he might be under other circumstances, he would not enter into a discussion of the main principle of the Relief Bill. From the actually acknowledged condition in which Ireland was and had been for years, he should say that he considered the permanent out-door relief clause a most essential part of the measure; and therefore it would not be possible for him to consent to the proposition of the noble Lord (Lord Monteagle). If that part of the Bill were so essential, it necessarily would lose all its value by the limitation of its operation for two or three years; and the administration of legalized relief would be thrown into such a state of confusion that the measure itself, which was one of great magnitude, could never be fairly tried. Under these circumstances, and without going into a consideration of the details of the measure, or examining the proposed mode af administering out-door relief, or even the nature of that relief, he should feel it to be his duty to vote against the Amendment.

The Earl of SHREWSBURY said, that after what had fallen from the noble Marquess on the Ministerial benches, as well as what had fallen from the noble Earl the Secretary for the Colonies, he should infer that the Bill under consideration gave the right of out-door relief to all destitute persons in Ireland. Now, he begged to ask, in the first instanee, whether the Bill proposed to give that right to relief in every case of destitution? because, if it did, he feared that for the next two or three years—for thirty weeks in each year—so many cases of dire necessity

would present themselves, the operation of the Bill would be found to extend to half the population of the country, in which case it would impose burdens on the land which it neither could nor ought to bear. If, on the other hand, the Bill did not give the right to relief, for what purpose was it brought forward and sought to be enacted but with the view of provoking persons to say that it was a Bill to legalize the destruction of the people? In England the law gave the right to relief in every case of destitution; the overseer, in the first instance, and the magistrates in case of their refusal, were empowered to dispense it; that right was imperative, and not conditional or discretionary. Why, then, subject this measure for Ireland to conditions? Why say that in England no man could legally die of starvation, but that in Ireland the claim of the destitute must be subjected to the discretion of the relieving officers and of the guardians? As the Government had not proposed any other measures, but as they had even withdrawn one of the promised measures that were to accompany the Poor Relief Bill, and as he had not heard more of those measures which were to follow, it appeared to him there was no other alternative but to adopt the Bill with all its imperfections on its head, than which none, in his opinion, could be greater than an uncertainty of interpretation. Therefore it was that he begged to ask if the Bill proposed to give the right of relief in every case of destitution? If he were told that it did not, then he should observe that it seemed to him a most extraordinary code of legislation. Christianity left the poor to the charity of the rich; but by the Bill before their Lordships, as he understood it, they promised the poor man relief—they left him under the feeling that they gave him relief by law, but at the same time they refused him the right to that relief. Under these circumstances and those difficulties, he thought, on the whole, that he would be more inclined to vote for the Motion of the noble Lord below him.

House divided:—For the Amendment 61; Against it 50: Majority in favour of the Amendment 11.

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On Clause 2,

The EARL of ELLENBOROUGH urged on their Lordships the propriety of acceding to an Amendment, the object of which was, that all classes of destitute females should be admitted to relief, as well those having illegitimate as those having legitimate children. He had not thought it necessary to give notice of his intention to bring forward this Amendment, because it was one which appeared to him to be dictated by considerations of common humanity, and which therefore demanded but little deliberation. The punishment of death, which was the just reward of crimes of the greatest atrocity, had already been abolished except in the case of one offence, and yet the operation of the present Bill, as it now stood, would be to make death the punishment of a woman's incontinence. He would strongly recommend their Lordships to introduce into the Bill a provision qualifying destitute females with illegitimate children to be recipients of relief as well as females having legitimate children.

The MARQUESS of LANSDOWNE replied, but his answer was perfectly inaudible.

The EARL of WICKLOW contended that there was no one who was acquainted with the state of society in Ireland who would not object to give relief under such a measure as the present to the class of persons alluded to by the noble Earl.

The BISHOP of EXETER was of opinion that the effect of the noble Earl's Amendment would be to release the profligate father altogether.

The DUKE of RICHMOND thought that a distinction should be taken between the children of false marriages and children avowedly illegitimate. A provision should be introduced into the Bill in favour of the former class. If a woman imagined that she had been validly married, or had been tricked into a false marriage, it would be cruel to debar her and her children.

The MARQUESS of CLANRICARDE explained that the supposititious case put by the noble Duke was already provided for in the discretionary power vested in the guardians.

The EARL of CLANCARTY objected to the principle of out-door relief. There was little or no difference between destitution and poverty in Ireland; and the effect of the out-door system would be to place the recipients of relief in a better position than the independent labourers. The passing of any measure providing for out-door relief would prevent many poor families, who were now supported by the labour of an individual member, or by the charity of their friends, who might not wish to see them have recourse to parochial assistance, from continuing to receive such aid.

The EARL of ELLENBOROUGH intimated his intention of withdrawing the Amendment for the present. He still adhered to the opinions he had already expressed, but thought it the more convenient course to propose the Amendment on the bringing up of the Report.

Amendment withdrawn.

The EARL of WICKLOW suggested that in Clause 2, line 12, after the word "Commissioners," these words should be introduced—"with the sanction of the Lord Lieutenant."

EARL GREY said, that a Bill had been already introduced in the House of Commons, which was printed on the 26th of February. That Bill would create a new Board for the administration of the Poor Law in Ireland, consisting of the Chief Secretary to the Lord Lieutenant, the Under Secretary, and one paid Commissioner: that would place the administration of the Poor Law completely in the hands of the Irish Government, and he thought, therefore, it would not be expedient that any such Amendment as that of his noble Friend should now be pressed.

LORD MONTEAGLE observed, that if such a Bill were coming up from the Commons it would be better to postpone that part of the present Bill till the other reached the House of Lords.

Motion postponed.

The EARL of DESART, pursuant to notice, moved in Clause 2, after the words—

"'By order under their seal to authorize and empower the guardians of such union' be inserted to 'build or hire additional houses for the reception of such destitute persons, or to administer,' &c.; and after the words 'on the receipt by the guardians of the union of any such order authorizing' be inserted 'the erection or hiring of such houses, or relief,' &c.: also that after the words 'shall be given in food only' be inserted 'to be in all cases distributed from a store to be provided

by the guardians for that purpose, save as hereinafter,'" &c.

With regard to the first alteration proposed, the noble Earl admitted that the Bill as it stood allowed any sum not exceeding 400*l.* to be appropriated for the purpose of building new workhouses where they were required; but that, he contended, was not sufficient. He rested his case on the Poor Law Commissioners' reports; and from the evidence there taken, he found that on the system of erection the report recommended, the cost of a building to accommodate ninety people would come to about 2*l.* per head; while the cost of the workhouse construction was 14*l.* per head; one-seventh more than the provision he proposed to be made. He contended that increased provision for the application of the in-door test ought to be made, as there was great reason to dread evil from the maladministration of the new Poor Law, judging from the fact that the most flagrant abuses were committed by the administrators of the present system. The in-door test, whenever it was possible, ought to be applied; and to give the Commissioners greater means of applying that test, he would invest them with the power of ordering the guardians to build such houses as he had alluded to for that purpose. He wished to do this the more, because the relief of a proportion of the population of England and Wales that are annually recipients of relief both in-door and out-door, would involve a tax of 17 per cent on Irish property; while in England and Wales it only involved a tax of 5 per cent. Thus, while it was one-twentieth of the rental in England and Wales, in Ireland it was nearly one-sixth. This showed the entire impracticability of working the new Poor Law in Ireland as a remedy for the present state of things, unless it were accompanied by large and extensive measures, by which employment could be given to the population. With regard to stores, he wished the able-bodied paupers who were relieved out of doors to have to walk to the store daily for their relief, and not have it taken round and distributed at their houses. That would be a sort of test in those cases in which the workhouse test could not be applied. Those alterations did not invade the principle of the Bill. All he asked the Government to do was, to give the Commissioners the power to order these houses to be built. He did not think that would meet all the maladministration they might expect to find; but if it had any tendency of that nature the Government ought to agree to it.

Earl GREY said, that the only objection he saw to the Amendments was, that they were wholly unnecessary, the Commissioners having full power under the Bill. It gave the Commissioners power, from time to time, to erect or hire additional workhouses, if the present were found insufficient; and, though they were restricted to not going beyond the former extent of 400*l.* without the consent of the guardians, yet the clause as it stood authorized the Commissioners to empower the guardians to go beyond that amount. With respect to the second point, as to stores, it appeared to be carrying legislation beyond its legitimate point; and it had better be left to the discretion of the guardians.

Lord STANLEY said, that he entirely concurred in the Amendments proposed by his noble Friend. However, as the Bill already gave power to build to the amount of 400*l.*, and as their Lordships had just decided that the measure was to be only a temporary one, it might, perhaps, be as well to ascertain by experience whether the sum of 400*l.* might not be sufficient. With regard to the latter part of the Amendment, he understood it to be levelled at the system of indiscriminate relief, and of sending round and distributing that relief at the doors of the recipients. His noble Friend said, let that relief be distributed at stores appointed by the board of guardians, and let the able-bodied who said they were in a state of destitution come daily for relief. If the able-bodied pauper found it was necessary to walk five or six miles to receive his day's supply and then to walk back—it was not intended to apply to sick or infirm persons or women—he would think twice whether he could not obtain better employment, and with almost as little labour earn a larger pittance. Under circumstances which prevented their poor having a perfect test, his noble Friend wished to have this subsidiary or supplementary test, an inferior one, but still a sort of test. He hoped his noble Friend would not press the first part of his Amendment; but if the latter part were carried to a division, unless some cogent reason to the contrary was urged on the other side of the House, he (Lord Stanley) would vote for the Amendment.

The Marquess of LANSDOWNE thought both parties had best be left to the discretion of guardians, as they would be the best judges. He agreed that the

carrying of the relief to the door of the recipient ought to be guarded against; but the remedy for that was in the hands of the Poor Law Commissioners, who had power to give directions how the relief should be distributed.

The EARL of ST. GERMANS said, ample powers were already given by the Bill to the Commissioners, to secure the object of the noble Earl in the second part of his Amendment.

The EARL of WICKLOW would not consent to take from the guardians any power they now enjoyed, and therefore he opposed the Amendment. To establish stores, in the present state of the country, would be only to hold out temptations to plunder.

LORD MONTEAGLE did not see how the distribution of food over so large an area could be provided for without some such powers as this Amendment gave.

EARL GREY said, there was ample power of establishing stores provided in a future clause of the Bill; but it would be a serious inconvenience never to give food except from a store established by a board of guardians. Cases might arise in which it would be more economical that a contractor should undertake to deliver stores at a certain point. He could not concur in the Amendment.

EARL FITZWILLIAM thought the Amendment would prevent jobbing in the management of stores.

After a few words from the MARQUESS of WESTMEATH,

The EARL of CLARENDON objected to the clause, which would entail great expense on boards of guardians. A single family in one extremity of the union might require relief in food; but by this Amendment, before the board of guardians could give them relief for one week, it would be necessary to build a store and to fill it. He thought the guardians, who had an interest in economizing the funds, might safely be left to make these arrangements for themselves.

The EARL of CLANCARTY, as the measure was only temporary in its operation, would recommend his noble Friend to withdraw the Amendment.

The EARL of DESART said, that as it appeared to be the general wish of the House, he would withdraw his Amendment.

Amendment withdrawn.

Clause 3 agreed to without Amendment.

On Clause 4,

LORD STANLEY rose to propose an Amendment. He hoped their Lordships would not think him too severe against Ireland, if he said that it was incumbent upon them to take greater precautions against jobbing on the part of boards of guardians in that country than in England. There was no point upon which Irish boards of guardians were so likely to display personal favouritism as in the choice of very inefficient subordinate officers to perform the duties of the new law. Now, an immense power was proposed to be vested in the relieving officers of Ireland. A great disproportion existed in the size of the electoral divisions and unions in Ireland, as compared with those of England. He thought all their Lordships who were acquainted with the working of the Poor Law would admit that, if there was an error in respect to the size of unions in England, that error was not on the side of their being too small, but of their being inconveniently large. If that was the case in England, let them inquire what was the general average of unions in regard to size so as to show the proportion between the extent of acreage and the amount of population in the poor-law unions of England and Ireland respectively. In England the average population of each union, as appeared from returns upon their Lordships' Table, was 24,845 inhabitants; in Ireland the average population of each union, assuming the population of the whole country to be 8,500,000, which he thought was nearly the truth, would be no less than 65,384 persons. Then what was the area of the 620 and odd poor-law unions in England? In England there were only two unions above 200,000 acres in extent, and only forty-three above 100,000 acres; and below 100,000 acres there were 541 unions. Now in Ireland there were, he thought, 130 unions; of these there were above 200,000 acres no less than eighteen, instead of two as in England; above 100,000 acres, instead of forty-three in England, there were in Ireland 104. Below 100,000 acres, instead of 541 in England, there were in Ireland twenty-six only. This general average he thought a much better mode of bringing before their Lordships, the difference between the size of unions in England and Ireland, than by taking certain instances of great discrepancies; but he more especially noticed the fact for this purpose—to point out to their Lord-

ships, that if in England it was found to be exceedingly difficult to collect the members of the boards of guardians together at their weekly meetings, owing to the great distances that many of the guardians had to come; and if the consequence was, that the board of guardians had to devolve on the relieving officer attending the board much of the discretion and responsibility of giving and withholding relief, that difficulty and its consequences would be infinitely aggravated in Ireland where the unions were so much larger, and where it would be much more troublesome to collect the guardians at the weekly meetings of the board. Now in this Bill they were introducing for the first time the principle of granting out-door relief; and, from this difficulty of collecting the guardians at meetings of the board, in practice they were about to assign the administration of that out-door relief to the relieving officer. In doing so, he did not hesitate to say, they were about to throw on the relieving officer a duty which it was almost impossible for him to perform. Between the weekly meetings of the board of guardians, the relieving officer would have the discretion of granting relief in food to persons who pressed on him. Now, taking one of these unions, would their Lordships, who were acquainted with Ireland, believe that a relieving officer would have the firmness to refuse relief, or to give only that amount which it might be discreet to give to a person who pressed him, at a place, perhaps, where three or four roads met, such person being supported by a body of six, or eight, or ten able-bodied persons? If they wanted to give additional motives for corruption on the part of the relieving officer, to be winked at by the corruption of the board of guardians, they would give to that board, formed, as it mostly would be, of the small farmers of the district, the appointment of these relieving officers to act under them. It was well known to what an extent persons in Ireland canvassed and made interest for situations of a very inferior character; and if they gave to the guardians, constituted as they were in Ireland, the power of distributing this patronage, they would find selected for relieving officers, small farmers, the relations of the guardians themselves, and, in many cases, the close connexions, if not relations, of the very persons they would have to relieve. He was convinced that there was infinitely more chance of these duties being properly performed, if they gave the selection of the relieving officers not to the guardians but to the Poor Law Commissioners. In the one case the relieving officers would be the servants and dependants of the boards of guardians; in the other case they would be the servants and dependants of the Crown; and in that case the board and the relieving officer would mostly be a check on one another. That, he thought, would be a very material amendment of the enactment, and therefore he moved as an Amendment on the 4th Clause, that the appointment of the relieving officers be vested in the Poor Law Commissioners.

The MARQUESS of LANSDOWNE was understood to submit to the noble Lord, whether the evil results he apprehended were not guarded against by the power given to the Poor Law Commissioners by another clause in the Bill, of dismissing at any time any relieving officer who did not do his duty to their satisfaction?

The EARL of RODEN supported most cordially the Amendment of the noble Lord.

The EARL of LUCAN considered that the less patronage given to the Commissioners the better.

EARL GREY said, that the Amendment of the noble Lord was entirely opposed to the principle of local government, for its tendency was to throw the whole administration of the Poor Law in its details, not upon the boards of guardians, but upon the Commissioners, and through them upon the Government. If the boards of guardians were allowed to choose their own officers, and if these officers did not discharge their duties, then of course the guardians could not shelter themselves from responsibility by saying that things did not go on well because the Commissioners gave them bad officers. The noble Lord's proposal, if it were adopted, would hold out a positive inducement to the boards of guardians and the relieving officers to be constantly at variance with each other. The Commissioners had at present a power of dismissal for misconduct; but that power was only meant to be brought into exercise when the board of guardians failed to do their duty. They had in fact been already told that there had been bad relieving officers, bad masters of workhouses, and bad rate collectors; but that the fault of this was with the Commissioners, who had attempted to coerce the guardians in the performance of their duties. Now he would ask, if there was any statesman who had not remarked that one of the most crying evils

of Ireland during the last fifty years had been the disposition of the people to throw everything upon the Government—a disposition not to help themselves, but to have everything done for them by the Government authorities? What then was it most necessary to teach the Irish? Every statesman who had studied the condition of that people would admit that it was to teach the Irish people to manage their own affairs for themselves? Why was it that parochial affairs were managed well in this country? Simply because in England the whole detail of local matters was managed by the parties locally interested and concerned; and the Executive Government interfered very slightly and rarely. On the other hand, there had been in Ireland, unfortunately, a want of local organization—a want of the means by which the people could manage their own affairs. He had no doubt that the boards of guardians might in some cases appoint worse relieving officers than might be appointed for them by a board of commissioners; but even if this were the case, he considered it was most desirable that the power—and with the power the responsibility—of choosing their own officers should be thrown upon the boards of guardians in Ireland. He believed that no small proportion of the abuses complained of in that country arose from the circumstance that the parties had been spending money advanced to them by the Treasury, which he feared they had very little intention of ever repaying. He had no doubt that when they came to spend money raised by rate upon themselves, much more care and strictness would be displayed in its administration. He considered that their Lordships would make a most injudicious change in the provisions of this Bill, if they threw the appointment of relieving officers upon the Commissioners in Dublin, instead of upon the boards of guardians.

The Earl of CLANCARTY thought the noble Earl who had just spoken had made a most unjustifiable attack upon the boards of guardians in Ireland, in imputing to them the honesty of borrowing public money without any intention of repaying it. He agreed with the noble Earl that it was of the utmost importance to establish a system of local self-government in that country; but he thought the Government ought to give their Lordships some information as to the number of relieving officers it was intended to appoint, and the salaries it was proposed to give them.

The Earl of ELLENBOROUGH said, no one was more desirous than he was to see the internal government of Ireland conducted by local administration. But he felt satisfied that if their Lordships were to proceed on the supposition that they could import bodily into Ireland all the details and principles of the Poor Law of England—on the supposition that the same law, working on a dissimilar state of society, would produce similar effects in Ireland as in England, then they would create for themselves innumerable inconveniences and dangers; and they would postpone for an indefinite period the realization of their hopes of seeing an effective Poor Law established in Ireland. He deeply regretted the necessity of this Amendment of the noble Lord; but he felt that it was necessary; for he was confident that it was impossible to apply the details of the English Poor Law to Ireland in the present condition of that country. He had read with the deepest pain, regret, and dismay, the accounts of the state of Ireland contained in the books now on their Lordships' Table. He saw more to apprehend from those books than even from the present state of destitution; and the impressions they made upon him were such as almost to deprive him of all hope for the future regeneration of the country. He saw a spirit of intimidation pervading all classes, from the highest to the lowest; with a few, though certainly with some brilliant, exceptions. Therefore, in appointing a relieving officer, they must have a man who was devoid of all local influence; and a man, besides, who was not afraid to be shot at every day. In fact, the administration of relief was now confided to the officers of the Army and Navy, because in them only were to be found those qualities of firmness and courage which were so necessary for carrying the law into effect. If their Lordships were determined to leave the appointment in the hands of these guardians, who, generally speaking, would be constituted in an inferior manner to the relief committees, of which so many complaints were now made—if they asked them to administer this law, depending only upon the tardy justice and retribution of the Poor Law Commissioners, then they might depend upon it the law would fail, and the country would become disgusted with its failure; attributing that to the law which was attributable not to the law, but to the instruments by which it was to be carried into effect. He knew nothing so ruinous

or so contemptible in legislation as to have an object which they were earnestly desirous to obtain, and yet to shrink from the means, where those means would be morally justified, which alone would ensure its attainment. If their object was to relieve the poor, let them look all the difficulties fairly in the face, and take all the means that might be necessary to secure their object. It might be that this Amendment involved a principle opposed to the system of self-government; but they must remember that Ireland was not England, and if they legislated for Ireland on data supplied by this country, they would only increase the dangers and the calamities of that unhappy country.

The MARQUESS of CLANRICARDE said, Government had looked the difficulties and the dangers of this measure fairly in the face, and they had not shrunk from proposing this measure as a means of relieving the poor, though well aware that it was to a certain extent a perilous measure. They had adopted it upon this principle—that if it were determined to relieve Ireland by means of the resources of Ireland, it must be done by the co-operation of the upper classes of Ireland; and it must be obvious to the noble Earl that Her Majesty's Government were determined to carry out this Bill in the spirit in which it had been proposed, namely, that of effectually relieving the necessities of the people of that country. The noble Earl who had just sat down had drawn a formidable picture of the duties and dangers of a relieving officer, and if these ideas prevailed generally, he did not wonder that noble Lords were alarmed at the probable expense of the rates; but his idea was, that the duties of the relieving officer would be light, particularly when he remembered that even at the present period of existing distress the workhouses were not filled. It might be satisfactory to noble Lords to know, that even by the provisions of the Bill as it now stood, no appointment of a relieving officer could be finally made without having received the approbation of the Commissioners; but the Amendment now proposed would take away the responsibility from those who now had the appointment, namely, the guardians, and would, in fact, render the Bill a perfect nullity.

The MARQUESS of WESTMEATH, in a few words, supported the Amendment.

LORD MONTEAGLE said, the powers entrusted to the Commissioners should only be exercised in extreme cases. He preferred the Amendment to the Clause as it now stood, for the Commissioners had the power of making out-door relief compulsory. But his noble Friend the Secretary for the Colonies seemed to think that the power of the Commissioners would be but rarely exercised, and that, in fact, there would be no occasion for it, because they had been comparatively so under the Poor Law which the Legislature first established in Ireland; but he would call the attention of the House to the stupendous fact, that in the South Dublin union, where the number of paupers receiving relief under the first Poor Law did not exceed, on an average, 2,000, yet, under the temporary system of out-door relief lately established, the number of applicants had increased to 40,000. Under these circumstances, it would be necessary to have a man of firmness for a relieving officer, and he preferred the Amendment to the Clause as it stood.

The EARL of HARDWICKE supported the Amendment. He thought the powers vested in the boards of guardians by the clause of a nature rather calculated to injure than to serve the constitution of these boards. The relieving officers should be men not liable to be influenced by popular excitement. The Catholic priesthood had great influence over the guardians; and the relieving officers would, if their nomination was left with the boards of guardians, be, in many instances, the nominees of the Roman Catholic priests. Again, if the relieving officers were men selected in the neighbourhood in which they were to act, the ill-disposed there would seek, by threatening notices and other species of intimidation, to frighten them into their views; and, upon the whole, thinking this power would detract from the utility of the boards of guardians, he would vote against the clause in its present shape.

The EARL of WICKLOW said, that if the Amendment were adopted, and the appointment placed in the hands of the Commissioners, they would probably, in making the appointment in any union, apply to the chairman of the board of guardians, or to the gentlemen constituting the board. In this case, the appointment would really be with the board, though indirectly; and he thought it better to give the board the appointment directly, and thereby fix them with the responsibility of making a proper choice. He, therefore, trusted that the suggestion of the noble Marquess (the Marquess of Lansdowne) would be adopted, and that the Committee would not divide.

The EARL of ROSSE supported the Amendment, because he believed that it would be better to take the patronage as far as possible from the boards of guardians. The elections gave rise to a great deal of party feeling among the boards of guardians, and had militated much against the working of the Poor Law. The difficulty had been started, that if the boards of guardians did not appoint, the Commissioners would be ill fitted to do so from their want of local knowledge. The assistant poor-law commissioners, however, would have that responsibility resting upon them, and were well qualified to make the appointments.

The EARL of CLANCARTY wished for some more full and precise information on the subject of the payment of the relieving officers, and various other particulars connected with the appointments. Was their remuneration to be by salary, or otherwise? and would the Commissioners have the power of vetoing the appointments of the boards of guardians?

The MARQUESS of LANSDOWNE said, it was quite impossible to state all those particulars beforehand; but there was no doubt that the guardians and Commissioners must take care of the public interest in that respect. With regard to the clause, if it were carried, it was his intention to propose the insertion of the words "with the approbation of the Commissioners," which would give a security that no person would be so appointed of whom the Commissioners did not approve.

Committee divided:—For the Clause 59; for the Amendment 53: Majority 6.

House resumed.

House adjourned.

HOUSE OF COMMONS,

Thursday, May 6, 1847.

MINUTES.] PETITIONS PRESENTED. By Captain Gladstone and other hon. Members, from several places, for Alteration of the Law of Marriage.—By Mr. H. Baillie, from Members of the Parochial Board of the United Parishes of Daviot and Dunlichity, and Mr. F. Dundas, from the Presbytery of Cairston, against the Marriage (Scotland) Bill.—By Mr. W. Denison, from Peckham, for Inquiry respecting the Rajah of Sattara.—By Mr. Bright, from Bridgewater, against the Use of Grain in Breweries and Distilleries.—By Mr. C. Berkeley and other hon. Members, from several places, for Regulating the Qualification of Chemists and Druggists.—By Mr. Bright, from several places, against, and Mr. Divett, from Members of the Exeter Reform Association, in favour of, the proposed Plan of Education.—By Sir W. Clay and other hon. Members, from several places, for and against the Health of Towns Bill.—By Mr. Forbes, from the County of Stirling, and Mr. Fox Maule, from Perth, in favour of the Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland); Transference of Land (Scotland); Service of Heirs (Scotland); and Crown Charters (Scotland) Bills.—By several hon. Members, from a great many places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Mr. Barclay, from Sunderland, against the Repeal of the Navigation Laws.—By Lord J. Russell, from Kingston-upon-Hull, for an Efficient Poor Law (Ireland).—By Mr. Lefroy, from Clergy of the Diocese of Ardagh, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. Goulburn, from Guardians of the Reigate Union, and Mr. Maunsell, from Guardians of the Brixworth Union, for Repeal or Alteration of the Poor Removal Act.—By Mr. F. Dundas and other hon. Members, from several places, against the Registering Births, &c. (Scotland) Bill; and Marriage (Scotland) Bill.—By Mr. Wodehouse, from Guardians of the Aylsham Union, for Alteration of the Law of Settlement.—By Sir F. Thesiger, from George Drew, of Bermondsey, for Inquiry respecting the Small Debts Act.—By Mr. E. Vivian, from Truro, against the Towns Improvement Clauses Bill.

MR. BUTT.

MR. FERRAND inquired of the right hon. Baronet (Sir G. Grey), whether it was the intention of the Government, or whether it would be in the power of the Government, to return to Mr. Butt the fine paid by him many years ago, under a prosecution, for having been concerned in spreading false news of the death of Napoleon Bonaparte?

SIR G. GREY said, the hon. Member having given him notice of the question, he had made inquiries on the subject, He found that some years ago Mr. Butt had applied to the then Secretary of State for a return of the fine, on the ground that Lord Cochrane had been restored to his rank and half-pay, but the Secretary of State had not thought fit to grant his request. He was afraid he could not hold out any hope of being able to return the fine.

SALE, &c., OF ARMS IN IRELAND.

SIR W. VERNER rose, pursuant to notice, to call the attention of Her Majesty's Ministers to the sale and importation of firearms in Ireland. He begged to remind the House, that when the noble Lord introduced his measures relative to Ireland, he had taken occasion to mention a circumstance which had created great alarm in Ireland; namely, the importation and unprecedented sale of firearms. He then mentioned one or two instances which had come under his own immediate knowledge, and for the accuracy of which he could vouch. The one was the sale of 1,000 stand of arms in one district in the county in which he (Sir W. Verner) resided. The other was the sale of 100,000lb. weight of ammunition in a single day (a market-day) in a small town near his resi-

dence, it being added, that had there been double the quantity it could have been easily disposed of. Another case that had been mentioned was that of a man who, having come to pay his rent, and having had 2*l.* restored to him to purchase provisions with for his family, his observation was, that he could buy a very good gun with it. No notice had been taken by the Government of his statements; and he was anxious not to be supposed to have circulated without cause statements likely to create so much alarm. The matter had, however, since assumed so serious a shape, that he felt himself, in his own defence, called on to bring before that House substantial proof that he was justified in the observations he had made. Before doing so, however, he desired to make one or two references to a measure which passed that House in 1843, called the Arms Bill. By that Act it was provided that no arms should be imported into Ireland, except under the license of the Lord Lieutenant, under a penalty of 50*l.*, and a like penalty was imposed on the manufacture of arms within the country. By another clause it was not only required that the arms should be registered, but also that they should be branded. That Bill was passed in consequence of most serious representations to the Government, and it was founded on a body of the most conclusive evidence as to its necessity. The letters of Colonel Macgregor, and the reports of the constabulary in Ireland, had induced the Government at the time to call on the House to agree to the Bill. The measure, however, met with very great opposition. There was scarcely any Bill on record that had met with more. No less than seven Members of that House declared their determination to oppose it at every stage. Some said they would oppose it clause by clause; and one Member said, he would oppose it even word by word. At every stage of the Bill this opposition was continued. The Bill was introduced early in the Session; it was not read a third time till the 9th of August, and it did not receive the Royal Assent till the 22nd, two days only before Parliament was prorogued. Thus it took from near the commencement of the Session to the very close to pass that Bill into a law. If the right hon. Gentleman (Sir R. Peel), in the face of the greatest opposition that perhaps a Bill ever received, felt it incumbent upon him to pass this measure, was not such a measure ten times more necessary at present? Was it wisdom on the part of any Government to place arms in the hands of a starving people? Or would a people starve with arms in their hands? The people of Ireland were now becoming an armed population. A private letter which he had received from Queen's County, said—

"As I see you intend to bring the matter respecting arms before the House, I beg to take the liberty of stating, that the consequences will be most disastrous if the unlicensed sale of them be allowed any longer; and some means must be taken to prevent the assassin from using those already purchased by the peasantry. A most atrocious murder, I may say (as the victim is without hopes), was committed near Portarlington on Sunday night. John Wilson, Esq., of Killeen, had dined with a neighbouring gentleman (who lives only two fields from Mr. Wilson), and when a short distance from the house, going over a stile, a shot was fired at him, and three small bullets entered his breast, and were subsequently cut out behind the shoulder. Mr. Wilson is not a landlord or agent, but merely wished to prevent a path being made through his yard. On Thursday last a large quantity of arms was auctioned under the county inspector's lodgings, Tullamore, and every fellow is provided with some Birmingham manufacture. I myself saw a tall lad point out a long fusil to his comrade and say, 'There's a receipt for the hanging gale.'"

The county of Tipperary was one in which the greatest distress existed, and yet arms were sold to a greater extent than in any county in Ireland. The head constable of Clonmel, in a report submitted to the county inspector, said—

"I have to report that the undernamed persons have recently imported a large supply of guns, blunderbusses, and pistols, swords, and bayonets, which they are now disposing of to the public in this town at prices varying from 2*s.* 6*d.* to 30*s.* Four of those dealers sell by public auction in the streets, on fair-days and market-days; and it appears that the manufacturers of arms in Birmingham are not able to meet the demands made on them by purchasers from this country; in consequence of which, most of the arms now offered for sale have been procured from the different pawn-offices in London, and are of a second-hand description. The persons who usually purchase from the vendors are generally the lowest class of country people and servant boys; and persons labouring on the public works have been known to buy pistols from their weekly earnings."

The Rev. Robert Carey, who described himself as a "consistent adherent of Whiggism," wrote as follows from his glebe in Clonmel, in February last:—

"It is quite customary here, of late, to see several fellows with their guns behind a ditch on the roadside, and you cannot guess whether they intend to shoot you or not, until perhaps you feel the effects of their lead. These lads are, you know, legally armed under such circumstances. The police are of little use in the country, except

to escort prisoners. The indiscriminate sale of firearms which has been permitted for so many months has filled with alarm every individual (no matter what his politics) with whom I have conversed. Could the magistracy of Ireland (particularly that branch who are necessarily in more immediate communication with Government) be induced to make a combined awakening representation to our rulers of the evils which, sooner or later, humanly speaking, must result from the facilities afforded to the lowest and most abandoned of society to arm themselves, such a representation would not be disregarded by the Government. The magistracy cannot but be alive to the dangers of our present position; and I am convinced they are far too independent and high-minded (when duty demands that they speak out) to be deterred from remonstrance by any apprehension of giving utterance to truth, unpalatable in any quarter, however high; that, in short, they are not composed of that plastic material that can accommodate its vision to the optics of the Minister of the day."

In *The Times* newspaper of the 13th of April he found an extract from an Irish newspaper, describing the alarm felt in King's County from the extensive purchases of arms made by the peasantry. Almost all the Judges at the last assizes addressed the grand juries on this subject. Mr. Justice Jackson, for many years a Member of that House, charged the grand jury as follows on opening the commission at Clonmel:—

"There are a number of persons charged with offences connected with the possession and use of firearms. To the latter subject I feel it my incumbent duty to draw your attention, as I conceive there are a large portion of magistrates upon the grand jury; for, although it appears there was no lack of arms before, there has been latterly an extraordinary influx of arms into the country, the possession and use of which are connected with crimes of the most heinous character. The officer in command of this garrison very properly called upon me on my arrival in town, and directed my attention to placards which have been extensively published and circulated here; and one of them is of so curious a nature, being so shaped as if it had emanated from the Executive of the country, that I conceive it to be my duty to call your attention particularly to it. It bears the Queen's arms at its head, and has all the appearance of a Government proclamation; and at the end is the word 'Castle' in large letters, with 'street' in smaller characters, so as to make the latter word invisible to the reader at a distance. I believe the matter to be one of the deepest importance to the peace and order of society; and I think that you should call the attention of the Executive to this subject."

Mr. Baron Lefroy, who had also been a Member of that House, in his charge to the grand jury of Leitrim at the last assizes, said—

"I have to remark upon this calendar as I have had to remark upon other calendars in Ireland since I have been connected with the administration of the law—what a remarkable contrast it presents to any calendar you could look at in England. All the serious offences upon the face of this calendar—as upon most of the calendars in Ireland—are connected with the use of firearms, either wielded by large bodies of men or by an individual in the perpetration of the very serious offences which are most calculated to disturb the peace of society—to interfere with the enjoyment of property; in short, every offence calculated to break the bonds of civilized society is committed through the instrumentality of firearms. There must be a great laxity and defect in the law upon this subject. There is no doubt an excuse which is very plausible, and a very inviting one, that is—the privilege to use and possess firearms; but, if we find from experience that this privilege is abused, so as to interfere with the general good of the community, it is right that the law should be very stringent in its provisions with reference to the possession of firearms, which would conduce materially to the furtherance of civilization in the country, to the security of life, and the perfect enjoyment of property."

Mr. Baron Richards said at Ennis, county of Clare—

"I am sorry to observe that there are a great many in custody charged with taking firearms. This, undoubtedly, is an offence of a very serious nature and bad character; but, whether crimes of this dessription have been committed by the inhabitants of this county, or by parties from other districts, I do not know. However, as far as in us lies, we must endeavour to put down by the strong arm of the law offences of this nature."

Mr. Serjeant Howley, in his charge to the grand jury at the last assizes for Limerick, said—

"Lawful authority appears to be pushed aside. Threatening notices and the arms of the assassin govern, control, and punish every exercise of property, right, or duty. Those whom the blow has not reached know and feel, from the written threats they receive, that in their daily avocations they literally walk in the shadow of death. No courage, no precaution, no life, however blameless, saves the victim from his doom; and when the bloody deed is accomplished, it would appear as if it was the work of an invisible hand, for no trace is found, no information gleaned, no eye has seen the perpetrator of the crime. Amongst the more recent cases of murder were two officers of my civil court, Donohoe and Dwyer, both men of most exemplary character and conduct. Donohoe, in the immediate vicinity of this town, on his return home in the evening, was accosted in terms of civility on the public highway by three armed men, and the next moment was shot to death. Dwyer, in the town of Templemore, was rising on his knees after night prayer, and received, through the window of his humble chamber, the wounds that terminated his life."

A petition had been placed in his hands by a right hon. Gentleman (Mr. G. D. Damer), who had been compelled to leave town, and who had requested him (Sir W. Verner) to present it in his name, signed by eight

magistrates, three clergymen of the Established Church, two Roman Catholic clergymen, and all the respectable persons in and about the town of Roscrea, representing that on the 25th of March last, the fair-day of that town, they had been eye-witnesses to a sale by auction of firearms, which was attended by crowds of the lowest orders of the population, who bought up guns and pistols as fast as they could be put up for sale—some as low in price as 2*s.* for a case of pistols, and guns at equally low prices, The petitioners represented that the well-disposed persons of all classes in the district joined in expressing a hope that the Government would lose no time in taking this matter into their most serious consideration, and in adopting some measures to prevent the continuance of so great an abuse by legislative enactment. He had received, too, a letter from the Earl of Glengall, from which he might read the following passages:—

"Why do the farmers buy arms?—Because every ruffian has a gun; if they had not, the farmers would not want them. Every villain in this country has arms; it's truly dreadful! Auctions are held at most of our markets regularly; we have numberless proofs of fellows in the public works having bought them and attacked houses."

A letter appeared in the *Limerick Chronicle*, of the 28th ult., signed by William Wilson, whose son had been attacked by some ruffians and dangerously wounded, in which, after stating that the magistrates and police were zealously tracing the perpetrators of the outrage, the writer proceeded:—

"They seem to be fully aware of the impending ruin that awaits the rural districts, for want of any coercive guard, owing to the general armament of the whole population of the lowest order in Ireland, when every man may walk the country at large, at all hours, with his gun primed and loaded. Spain was never worse than Ireland is now; you can get a man shot for half-a-crown. I do not jest, I am speaking seriously; a short time will tell."

He thought one of the greatest misfortunes that could befall Ireland would be its deprivation, at the present time, of the services of that noble Lord (the Lord Lieutenant) by whom the administration of the affairs of that country had been conducted under the present Government. It was stated that, when that noble Lord went to Ireland, he expressed his intention to govern that country without an Arms Act; and in consequence of that declaration some dealers in arms had not scrupled to make the assertion that they sold firearms under the authority of the Government. He might read to the House a placard issued by one of these persons, which was surmounted by a representation of the Royal arms, and bore the appearance of an official proclamation:—

"Whereas many evil-disposed persons avail themselves of the present scarcity of food as a pretext to commit acts of violence against property, and otherwise disturbing the peace of the country, his Excellency the Lord Lieutenant is pleased to grant all Her Majesty's peaceable and loyal subjects, without distinction, the power to have and to keep any description of firearms, for the protection of the public peace, and likewise their own homes and property, without any restriction, except an invoice or certificate of the person from whom the arms are purchased. Thomas M'Crade is privileged by his Excellency, and fully empowered by the honourable Board of Excise, to offer for sale by auction, to the peaceable inhabitants of this town, 500 double and single-barrelled guns of various sorts, and 1,000 pair of pistols, warranted all double Tower proof, 500,000 best percussion caps, a large quantity of powder-flasks, shot, bags and belts, wash rods, turnscrews, nipple wrenches, &c.

"Thomas M'Grade, Licensed Auctioneer,
4, Castle-street, Dublin."

The sale of arms still continued in Ireland, and he had received information from the county of Down that no less than 500 stand of arms had recently been sold in one portion of that county. He thought these circumstances deserved the attention of the Government; and he begged to move for returns of all applications made to the Government by grand juries, magistrates and others in Ireland, with reference to the unlimited sale of arms and ammunition in Ireland.

Mr. GROGAN seconded the Motion.

Mr. LABOUCHERE: Sir, I can assure the hon. and gallant Baronet who has just sat down, that it is very far from my desire to express any surprise, much less to make any complaint of an Irish representative having thought fit, under the present circumstances of that country, to call the attention of the House to its internal condition, both as respects the security of life and property there, and as respects the effect produced by the determination of the Government and the House at the end of last Session to have the law in Ireland the same as it is in England, with regard to the sale and possession of firearms, and to do away with those Acts, which had been so long on the Statute-book, forbidding the sale and possession of firearms, except under certain restrictions. I can assure the House that the condition of Ireland during the calamitous winter which has just passed over our heads, both in this

and other respects, has occupied the most anxious and constant solicitude of Her Majesty's Government, and that we did feel that the step which we took in recommending to the House to part with powers which former Administrations had exercised, only increased our responsibility to maintain the existing law and protect life and property; and, Sir, although we felt that this responsibility was also increased by the circumstances which a deficiency in the means of subsistence occasioned in the country, yet still we are sensible that those misfortunes have not been aggravated by the bad conduct of the people, and that the peace of the country has not been disturbed. I can assure the hon. Member that the Government is quite aware of the responsibility which it has contracted. If the Government undertook to administer the affairs of Ireland without having recourse to any extraordinary powers, whether in the shape of Coercion Bills, or Arms Bills, they, I think, having taken that determination, should not lightly depart from that course; and I think I can show the House that we did not rashly make that recommendation, nor do we repent having made it. Undoubtedly it has been the case, as was naturally to be supposed, that outrages have multiplied very greatly during the past year in Ireland. If we compare the number of outrages that have been committed in 1847, with those which were committed in 1846, a large increase in the number will be shown; but I believe the House will come to a very inaccurate conclusion, if they look only to that circumstance, without also taking into account the nature and character of those outrages which have been committed. This fact will strike every Gentleman who has looked at the returns on the Table of the House —namely, that while there has been an immense increase in the number of outrages directed against property, the number of outrages directed against life and the peace of society has been but slightly increased, and in the number of agrarian outrages there has actually been a diminution. I ventured on a former occasion to call the attention of the House to these remarkable circumstances. I allow that it is impossible to direct the attention of the House to this matter, without calling upon them to look at the manner in which, upon the whole, the law has been administered in Ireland; and I have the satisfaction of being able to state that for a long time the law had not been carried into effect so firmly and efficaciously as it has been during the past year. I think, therefore, that the Government did well when they refused to resort to extraordinary expedients, since we find that they have been able, with the assistance of the law as it stands—not to prevent crime altogether, for that is not to be expected—but to punish offenders, to vindicate the law, and to prevent that impunity for crime which has been the most fearful feature in the social condition of Ireland. I shall be able to show that the way in which the law has been administered by the ordinary tribunals of the country is enough to make a Government pause before they entertain the proposition made by the hon. and gallant Baronet who has just sat down, and before they have recourse to—the hon. Baronet himself did not say what measure—any measure of an extraordinary and unconstitutional character. I have always thought that until the existing law has been tried and has failed in its object of giving due protection to life and property, no Government has a right to come down to the House and ask for extraordinary powers for that purpose; and I think it rests upon them to show that the power with which a Government is invested has been fully exerted for the vindication of the law and for the protection of society. With respect to the sale of arms, I am not prepared to say that there has not been a large importation of arms into Ireland, and a considerable sale of them recently; but I must say that I believe that there is very great exaggeration in the reports which have found their way into the newspapers. The hon. Baronet has quoted many letters from persons resident in Ireland to show the extensive sale which has taken place; but I cannot help thinking that the account which he gives as a general picture of the state of Ireland in this respect is exaggerated—at least it is very different from that which I have received from the most authoritative sources. I will read an extract from a letter which I received in the month of January, from a gentleman whose authority, from his personal character and official position, I hold to be the very highest in Ireland on this subject—I mean that excellent and distinguished officer, Colonel M'Gregor, who commands the constabulary in that country. At my request he sent me some information on the subject, and he accompanied that information with a letter, which I will now read to the House, and which contains a

very complete and accurate picture of the state of Ireland, both with regard to the number of outrages which have been committed, and to the sale of firearms :—

"Upon the whole, then, it would appear that the country was never more free from political excitement, nor from secret combination, nor (although this fact may, perhaps, be attributed to an apathy and indisposition towards the cultivation of the land) from outrage of a purely agrarian character, but that the increase of crime seems to spring almost entirely out of the prevailing scarcity ; and, although many of the ringleaders in the plundering of provisions or of house attacks, or of attacks of persons on the highway for money or provisions, are not themselves in want, yet they are readily followed in the commission of crime by those who are in a state of sad destitution."

I believe this to be a most accurate and faithful representation of the condition of Ireland; and I will ask the House whether it is by Coercion Bills or Arms Bills that outrages arising under the circumstances described by Colonel M'Gregor are to be put down? I will now read an extract from Colonel M'Gregor's statement with regard to the sale and possession of arms :—

"By a reference to the returns respecting the increased desire of the people to procure firearms, it will be seen that the rumours on this subject have been exaggerated ; in confirmation of which observation I may state, that out of about 1,550 of the worst description of crimes reported during the last seven weeks, only 450 appear to have been perpetrated by armed parties ; and although it is undeniable that arms have lately fallen into the hands of people who will make the worst use of them, yet it is to be hoped that, from the prices paid for arms, as well as from the reports of the officers of the constabulary, that a very large proportion of the arms recently purchased have been procured by respectable farmers and their confidential dependants against the apprehended attacks of men driven to despair by want."

The truth is that no one who ever considered this subject at all could doubt that when we put an end to those laws which prevented the sale of firearms in Ireland, considerable abuses would spring up. Forbidden fruit is sweet, and for an Irish peasant to be in possession of a gun is a matter of pride to him. The hon. Baronet has passed his life among a peasantry who have always been in the possession of firearms. The English policy formerly was to arm the Orangemen of the north, and to forbid the use of arms to the rest of Ireland. It is natural, therefore, now that these restrictions have been taken off, that the Catholic peasantry of Ireland should run riot a little with such a new power; and we must not banish from our minds this consideration before we attach too much importance to the great desire which, I do not deny, has shown itself to possess arms in the southern and western parts of Ireland. At the same time I must say that in some counties of Ireland, as the county of Kerry, and in Connaught generally, there has not been the same desire shown to possess arms as in other parts of Ireland. I have stated that the Government are quite aware of the responsibility which they contracted in undertaking to govern Ireland without an Arms Bill, and they have determined to put in force the law, and to prevent, as far as was in their power, the abuse of fire-arms being placed in improper hands; and I can assure the House that the existing law is by no means inefficient for objects of this kind. There is an Act well known in Ireland under the name of the Whiteboy Act, which inflicts most severe penalties on persons who appear in arms to the terror of their neighbours, without reasonable cause; and that statute has been applied firmly and vigorously, in order to prevent mischiefs arising from the improper use of firearms; and I am happy to say, that in the case of those persons who have been tried for offences under the Whiteboy Act, there has been no indisposition evinced on the part of witnesses to come forward, or on the part of juries to convict. Allusion has been made to the county of Tipperary—a county which, I am sorry to say, is commonly quoted in this House when outrage and disorder are the subject of discussion. But I will read to the House a letter which is dated the 28th of March, and which is written by a resident magistrate of that county :—

"I have the honour to report," the magistrate said, "that I went to attend at the assizes of Nenagh, on the 16th instant, where I had several cases for trial, and returned to my station on the 26th. With reference to my report of the 20th of November, wherein I suggested those persons appearing under arms to prevent the sale of corn at an auction should be prosecuted under the Whiteboy Act, I beg to state that the leaders of this party were convicted, and sentenced to imprisonment with hard labour, which, I trust, will prevent a recurrence of these assemblies. I beg further to state, that I have passed several other convictions for crime committed in my district, and that twenty-one of the misguided persons have been sentenced to seven and fourteen years' transportation."

This is only one out of a great number of letters, which I could read to the House to show that it is not true that the possession of firearms has led to all the evils which have been referred to. In endeavouring to prevent abuses from the possession of

arms, the Government has been backed by the good sense and good feeling of the country; and the ordinary tribunals have enforced the law in the best manner in which it can be carried into effect—namely, by the assistance of the community for whose benefit the Act was passed. If it were necessary, I could go into many details to prove the accuracy of what I have stated, both as to the manner in which the law has been carried into effect, and the number of convictions at the recent assizes in Ireland; and I could also point out to the House from the reports which lie upon its Table, that the character of the outrages committed last year, bears out the statement which I have made with regard to the comparative increase in offences against property, and offences against the lives of individuals. Notwithstanding the increase which has undoubtedly taken place, nothing has occurred to induce the Government to depart from their determination to maintain the peace of the country without coming down to the House to ask for extraordinary and unconstitutional powers. The hon. Baronet who brought forward this question, has referred, in terms for which I sincerely thank him, to the noble person whose name I cannot pronounce without emotion, and whose fate it has been in times of unexampled difficulty and danger to administer the government of Ireland. I can truly say that the courage and sagacity of that noble person have had the most happy effect in animating the exertions of all those who came in contact with him, and who were anxious to co-operate with him in his endeavours to maintain the peace and to preserve the lives of the people of Ireland. I know how constant and unwearied his exertions have been; and I think that, considering the difficulties which have beset the Government, that these exertions have been attended with as much success as could be expected. The noble Lord has been supported most vigorously and most efficiently, in the first place, by that admirable force, the police force of Ireland, and by the officer in command of it, to whom I have already referred. And next, the noble Lord was supported by the army of Ireland, which had the most embarrassing and painful duties to perform, which they discharged with a degree of humanity and discipline that was most important to the preservation of the peace of the country. I must say, also, that the noble Lord received most valuable assistance from the clergy of all denominations, both in relieving the existing distress and in preserving the peace of the country. The most trying times have now passed over; but every Gentleman who was in the country at the time must feel that when the riots began at Dungarvon, Youghal, and Waterford—and there was no knowing how far they would spread, if the clergy, both Protestant and Roman Catholic, had not preached submission to the law—all the efforts of the Government to maintain tranquillity might have been in vain. I do not know whether it be necessary to go farther into this subject. I can only assure the House that, as the attention of the Government has been anxiously directed for a long time past to this matter, it will also be anxiously directed to it for the future. All that I feel it necessary to say at present is, that I do not think that any case has been made out to justify the Government in coming to Parliament, and calling for extraordinary powers to prevent the sale of firearms. I believe there is great evil in departing from the ordinary course of the constitution when it is possible to avoid it. I do not blame former Governments for having done so, nor do I say that it may not be necessary for a Government to take that painful course. With these sentiments I must decline the introduction of some new Arms Bill. It is very easy for the hon. Baronet to say, "some Arms Bill." But is our experience of former Arms Bills so good as to justify us in saying they afford a safeguard against abuse, or prevent arms from getting into the hands of evil-disposed persons? We have heard of Arms Bill after Arms Bill. But did any one of these measures prevent rogues or ruffians obtaining possession of arms? All were lamentable failures in that respect. The hon. Baronet himself referred to the speech of the noble Lord who was Secretary for Ireland when the last Arms Bill was introduced, in which it was admitted that the then state of the law was a complete failure. I am sure the experience of the hon. Baronet, as a magistrate, must have convinced him that former Bills utterly failed in producing the results which were anticipated from them. I, for one, feel bound to hesitate before I recommend to the House a departure from the ordinary course of the constitution as a remedy for the evils of Ireland. The Government will continue, as they have done, vigorously and determinedly to exert the powers of the law to preserve the lives and properties of Her

Majesty's subjects in Ireland, being fully aware of the sacred obligation which they have incurred in that respect. I do not believe it would conduce to that end—that it would strengthen the hands of the Government—to introduce a measure of this description; and it is on that ground that I have felt compelled to express a contrary opinion to that urged by the hon. Baronet. With regard to the Motion of the hon. Baronet, I can have no objection to it, and I cheerfully agree to it.

Mr. SHAW said, that as the right hon. Gentleman did not oppose the Motion of his hon. Friend (Sir W. Verner), it was not necessary for him to trespass at any length upon the House; but he could not let the opportunity pass without expressing his opinion that the law as regarded firearms in Ireland was in a very unsatisfactory condition, and inspired the well-disposed and peaceable inhabitants of that country with a feeling of general uneasiness and alarm. He must remind the right hon. Gentleman, that it was not a voluntary act on the part of the Government last Session dispensing with the aid of all extraordinary powers on the subject; for the Government had proposed to renew the Arms Act, but were driven from that course by the pressure of their general supporters. He, at the time, while he expressed the want of confidence he had before expressed in the additions that had been made to the Arms Act by the late Government, in, he believed, the Session of 1843, in respect of a vexatious mode of registration and branding, had still warned the present Government, that they would incur great responsibility if they consented to abandon all the provisions that for the last fifty years had invested the Executive Government of Ireland with a peculiar control over the manufacture and sale of arms and ammunition in that part of the United Kingdom. He thought the result had justified his predictions, and that the Government would find it necessary in some shape to renew that code of laws. He did not consider that the Whiteboy Acts were sufficient for the purpose, as they could not be applied generally, but only to particular parts of the country, under peculiar circumstances affecting the public peace; and he strongly recommended the whole question to the serious consideration of the Government. It was no party question, but one which essentially concerned the general interests of society. He could not sit down without assuring the right hon. Gentleman, and the House, of his entire concurrence in what had fallen from the right hon. Gentleman with reference to the distinguished nobleman then at the head of the Irish Government. He felt sincere and unaffected sorrow for his illness, and would declare in that House what he had frequently stated elsewhere — that without distinction of politics or party, that nobleman's present state of health had excited in every part of Ireland universal sympathy and regret.

Motion agreed to.

THE CULTIVATION OF COTTON IN INDIA.

Mr. BRIGHT, in moving for a Select Committee to inquire into the progress of the Cultivation of Cotton in India, said: I have presented a petition from the Chamber of Commerce of Manchester, as well as petitions from several other bodies, praying the House to grant an inquiry for which I am about to move; and I can say, with a perfect knowledge of the fact, that there is a strong wish that the inquiry should be granted, and that at this time some means should be taken to increase the supply of the raw material of the cotton manufacture. I should have felt confident at any time that permission to have this inquiry would be granted; but under the present circumstances of the manufacturing districts, I feel it to be more important than at any former period, and more strongly incumbent on the House to grant it. I do believe that what potatoes are to Ireland, cotton is to Lancashire; and that as you have in Ireland a calamity unparalleled in consequence of the failure of the staple food of the people, so if we could conceive the raw material of the cotton manufacture greatly to fail, we should see calamities overspread this country to equal if not exceed that which has overtaken the population of Ireland. And perhaps it may be necessary to refer to the progress and present condition of the cotton trade, in order to show that it is not a subject of ordinary importance I am submitting to the House. It is perhaps impossible to find in all the annals of human industry a parallel for the rise and extraordinary progress of the cotton manufacture. There are persons now living who were living when the whole annual value of our cotton manufacture was 200,000*l*. That was the state of things at the accession of George III. But even so late as 1786 all our imports of cotton did not

reach 20,000,000 lbs. From that time to this, especially in latter years, the progress has been very rapid. In 1846, the consumption reached 1,585,900 bales, or upwards of 614,000,000 lbs. It appears by a return that 316,000 persons are employed within cotton mills. I happen to know that estimate is below the truth. I have no doubt that 320,000 is below the actual number employed. It is a common estimate in the trade to allow 100*l.* of capital for each person employed, and that will give a capital directly invested in the trade of 31,600,000*l.* To give another proof of the importance of this trade, I may mention the fact that in 1844 the value of our exports in cotton yarn and goods was 25,805,000*l.*, being somewhat more than half of the whole of the exports of this country. Mr. M'Culloch, in 1832, estimated that 1,400,000 persons subsisted by the cotton trade. It must be evident that the supply of the raw material of such a trade must be of the greatest importance. The question is not confined to the inhabitants of Lancashire and Cheshire. The full and free supply of the raw material must be looked on as a national benefit, the effects of which are continually extended. This year we have witnessed some of the results of a short supply of cotton. I can give one or two facts as to the failure of the cotton crop. The stock of cotton in our ports at the end of 1844 was 902,400 bales, or 33 weeks' consumption; 1845, 1,060,000 bales, or 35 weeks' consumption; 1846, 545,000 bales, or 18 weeks' consumption. Thus we reduced 35 weeks' consumption down to 18 weeks' consumption. The result has been a rise of from 4*d.* to 7*d.* a lb., more than 75 per cent; and the effect of such a change can be easily accertained by observing the stoppage of some of our mills altogether, while the greater part work but two, three, or four days a week. This state of things has been brought about by the state of the crop in the United States, which shows the following results: In 1844, 2,400,000 bales; in 1845, 2,100,000 bales; and for 1846, 2,000,000 bales for the estimated crop. The result of a short supply is, that the price has risen enormously, and thus has been brought about a condition of distress and difficulty never known before since the first bale of cotton was imported into this country. The question naturally arises, whence did we draw our supply in past years, and what probability is there of an adequate supply for the future? There was a time when the cotton consumed in this country came neither from the United States nor the East Indies. When in 1786 we consumed about 20,000,000 lbs., we drew our supplies from the following places: British West Indies, 5,800,000 lbs.; French and Spanish colonies, 5,500,000 lbs.; Dutch colonies, 1,600,000 lbs.; Portuguese colonies, 2,000,000 lbs.; Smyrna and Turkey, 5,000,000 lbs.; Total imports, 19,900,000 lbs. In 1789, cotton was first imported from India. In 1787, the United States first grew cotton. In 1792, the United States exported only 138,328 lbs.; but in 1793, the saw gin was invented, and the growth of cotton being consequently greatly increased, the United States in 1795 exported 5,276,306 lbs.; and this has greatly increased in subsequent years. But, coming down to a later period, it will be manifest how little progress India made as compared to the United States, by comparing the two periods of five years, ending in 1820 and in 1486 :—

Countries.	Ending 1820. Bales.	Ending 1846. Bales.
America . . .	216,176	1,229,535
East Indies . .	122,142	184,979
Brazil	141,193	98,611
West Indies . .	41,529	14,866
Egyptian, none till 1823, when it was	5,623	51,762

Thus, American increase has been nearly 600 per cent; East Indian increase only 50 per cent, in the last twenty-six years. While such an enormous progress has been made by America, British India has made no progress at all, and is as stationary as possible with respect to its exports. In point of fact, in 1818 East India import was 247,659 bales; 1844, ditto, 237,596 bales, the highest of the last four years. In 1846, weekly consumption, 30,498 bales, of which American, 24,623 bales; East Indian, only 2,189. Not only has Indian cotton not increased in quantity, but it has not improved in quality. I have here short extracts from the letters of Liverpool brokers, which throw some light on this point. One says—

"The great bulk of the cotton from India, probably seven-eighths of it, is much the same as during the last twenty years; during the whole of which period, small parcels have occasionally been sent forward of improved quality, but the bulk remains much the same, and is still forwarded with a great deal of leaf, dirt, and seed, none of which is worth the freight. In some few cases the cotton

is cleaned without injury to the staple; but in many instances, when cleaned, the injury to the staple counterbalances all the advantages of increased cleanliness.

"Average freight from New Orleans, $\frac{5}{8}d.$ per lb.; ditto from Bombay, $\frac{1}{2}d.$ to $\frac{5}{8}d.$ per lb.: being 50 per cent heavier, in proportion to the value, on East India cottons."

Another says—

"The cotton from Bombay is generally very dirty, and much discoloured, arising partly from a long land carriage, exposure to weather, and other difficulties of transit. The natives also mix with it dirt and seed, as they appear to have an interest in making the weight greater.

"East India cotton varies much in quality according to the season, but it is not a bit improved."

I think I have said enough to show, that the existing state of circumstances is by no means satisfactory; that the inquiry I ask for is necessary; and that I am justified in pressing it upon the attention of Parliament. I want to have it ascertained, first, can India grow a sufficient quantity of cotton to supply our manufactories? and if she can, what are the obstacles which prevent her doing so? That India has grown cotton for centuries, is absolutely notorious. Many persons believed that at one time the whole world was supplied from it, although I do not think that position sufficiently proved. But this is quite certain, that, surrounded by the Indus, the Himalaya Mountains, and the Indian Ocean, there is a population of 150,000,000—that this immense population has been clothed for centuries in cotton—and that that article has been applied in every shape in which cloth is used; and we have therefore every reason to believe that at this moment there is a larger amount of cotton annually produced in India than in any other country in the world. Major General Briggs, some years ago, wrote an excellent pamphlet, in which he pointed out the great advantages of the growth of cotton to the cultivator in India, and to the manufacturer at home. He stated there were 200,000 square miles suitable to the growth of cotton, in which there was every variety of soil and climate, and every advantage which could be found in any other country. Yet no supply of cotton for this country had been forthcoming. In 1818, India exported to England and China 140,000,000 lbs. If the progress in the growth of the article had borne any proportion to that of the United States, we might now look for as full a supply of the raw material from India as we were in the habit of receiving from the United States. Now, I do not offer the House my opinions as positively conclusive on this question; but I find them borne out by the reports of the East India Company. In 1836, the East India Company published reports of the proceedings which they had taken, and amongst them an immense amount of correspondence, all of which I have read. In 1822, the directors write to the Governor of Bombay—

"There is also considerable evidence afforded that no want will be experienced of a suitable soil and climate for raising this commodity to a large extent. The excellence of the quality seems to be established."

In 1829, they say—

"We are strongly impressed with the opinion, that nothing but attention and perseverance is required to make Indian cotton wool a productive article of export to Europe, and there is no commercial object connected with our Indian possessions of greater national importance."

Again—

"We have formerly received consignments of Surat cotton, which, in respect both of staple and cleanness, were greatly esteemed in the London market; and we now wish to procure a further supply of equal or superior goodness, which we are led to think might be obtained, if the processes of gathering and cleaning were conducted with sufficient care."

After alluding to New Orleans and Georgia cotton, they say—

"And we are further informed, which is exceedingly material in the present consideration, that the Bombay cottons, particularly those of the growth of the districts near Surat and Broach, are little or nothing inferior to the upland American descriptions above named, the item of cleanness alone excepted, and that such cotton might readily be brought into competition with the upland American."

In 1832 they write—

"It is, nevertheless, quite manifest that Indian cotton may be produced of fit quality and condition for the general purposes of the British manufactures."

And Mr. Martin, superintendent of the farm in Guzerat, expresses

—"a strong conviction that the quality of the staple might be essentially improved; and, perhaps, even enabled to compete with the New Orleans cotton in the English market."

In 1839, they say—

"From the best information we have obtained from your records, and from other sources, there appears no reason to doubt, although this great desideratum has not yet been attained, that under proper management and superintendence, India is capable of producing cotton in quantity to compete with the cotton from North America, which the best Bombay cotton (Surat), cleaned by the 'churka,' often rivals."

I find also it is stated in the annual re-

port of the Agricultural and Horticultural Society of England, in 1839—

"The more the society gives its consideration to the improvement of this important culture (cotton), the more it becomes convinced that capital and skill are alone required to raise the indigenous cotton of the country—the parent stock whence all other lands have been supplied—to a standard worthy of a comparison with the productions of the west."

Now I believe the East India Company hold these opinions quite honestly; for, during thirty years they have been making attempts to promote the cultivation of cotton. They met with many failures; but my belief is, that these arose from their having pursued the cultivation of cotton as amateurs, and not with the spirit and perseverance which private enterprise prompts. This was clearly proved by the fact of the inquiries sent to England as to how the saw-gin should be affixed. There were many accidents, and the machinery was burned by the carelessness of servants; but, making all these admissions, this fact remains, and cannot be refuted, that you have in India land calculated for the production of cotton; that you have a population the most docile, intelligent, and industrious, and labour far cheaper than you can by possibility have it in the United States. In point of fact, there is everything necessary except the possession of that capital by which improvements in cultivation can be carried on. The correspondence shows that some more general, more universal stimulus must be applied before the annual produce can be greatly increased. Now I have no wish — and I say so with the greatest sincerity—to bring any charges against the East India Company. I know the difficulties they have had to contend with in the management of the affairs of India. Their efforts have been honest, continuous, and meritorious, to a considerable extent with regard to this subject; they have spent 100,000*l.* in experiments to promote the cultivation of cotton; but yet they have failed—and I want a Committee to ascertain how it is they have failed. I propose to call before it officers now employed in this country by the Company, and others who have lived in India for many years; and I hope to find out what obstacles the Indian Government have found in the cultivation of cotton, and, if there be such, if they are capable of being overcome, as well as to see if any available steps have been left unemployed in developing the resources of that country, and affording us a sufficient supply of raw material. I hope the question will not become so imminent as to overwhelm us. If by any calamity our supplies were cut off or greatly failed, it is impossible to paint too strongly the distress and difficulty which must overtake the most densely peopled portions of the kingdom. We have a large portion of our population dependent upon the supply of the raw material. A season may fail. It failed last year—it failed to some extent this year. But a frost coming too early, or a wind blowing from a particular point, too much wet or drought, or an undefinable worm, may produce the most disastrous effects. I will not speak of the danger of war; for the more we are bound together by commercial ties, the less danger is there of our committing the folly of going to war. But we ought not to forget that the whole of the cotton grown in America is produced by slave labour; and this, I think, all will admit, that no matter as to the period in which slavery may have existed, abolished it will ultimately be, either by peaceable or by violent means. Whether it comes to an end by peaceable means, or otherwise, there will, in all probability, be an interruption to the production of cotton; and the calamity which must in consequence fall on a part of the American Union, will be felt throughout the manufacturing districts of this country. I ask the House to grant this Committee for the sake of the trade dependent on the cultivation of cotton—for the sake of all the interests which are bound up with a free supply of the raw material of this article. The duty we owe to the manufacturing population, and a regard to our own safety, as well as our responsibility to that vast population of India which Providence has committed to our care, demand that we should use every means in our power to develop the resources of India, and to give prosperity and abundance to its vast population. I shall not enter further on a subject capable of much more development, but only say, that I am satisfied no hon. Member will oppose — as I am sure the Government will not—the appointment of a Committee to inquire into the cultivation of cotton in British India.

Sir J. HOBHOUSE could assure the hon. Gentleman that it certainly was not the intention of the Government to oppose the appointment of this Committee; nor did he think that anything had been said by the hon. Member, bringing a sufficient charge against the East India Company,

either of ignorance, or neglect of duty, to make it necessary to enter into detail. At the same time, it was but fair to that body of men who had with such unparalleled success for so many years governed that great country, to state shortly what had been done by them to promote the cultivation of cotton. As the Committee was to be granted, it would not be necessary for him to go into the various topics urged by the hon. Gentleman; otherwise it might be shown that he rather over-estimated the effect it was possible for any inquiry to have, if he supposed it would make the people of India—in our time, at least—producers of cotton to the extent of the people of America. Such competition appeared quite out of the question. There was such a difference between the natives of America and of India, that even under circumstances of much greater facility of production in India than at present, he could not flatter himself that, give what encouragement we might, there would be such a cultivation of cotton in India as to make this country (to adopt the hon. Gentleman's phrase) safe from the want of cotton, supposing the import from America should fail. One of the reasons why the cultivation of cotton had somewhat fallen off in India was, that we were there importers of cotton goods ourselves, and had destroyed, to a great degree, the great cotton manufactures of India. What had become of the Dacca fabrics, the beautiful piece goods, the gossamers, as they were called? Why, we were at this moment clothing the natives of India with our own manufactures, instead of allowing them to weave their own goods, and wear their own cottons. The hon. Member had fairly allowed that the Indian Governments had not slept at their post; ever since 1780, continual efforts had been made to get valuable information with respect to the cultivation of this valuable plant in India. There were folios upon folios, containing reports of the way in which the plant had been cultivated, and of the efforts made to attain additional success in that cultivation. But it was not till 1828 that the first effort was made to cultivate foreign cotton, and that was made at the instance of Lord Ellenborough; who, aided by the Court of Directors, attempted to introduce the cultivation of foreign cotton into certain parts of the Bombay presidency; and two or three experimental farms were there established, with some success, to cultivate the American cotton. It was not until 1839, when Lord Auckland drew up a Minute which contained the whole history of the cultivation of the plant in India—perhaps one of the most valuable documents it was possible for any statesman to produce—that the attention of the Government was drawn to the best mode of cultivation. If the hon. Gentleman had waited for the production of the papers for which an hon. Baronet had moved, he would have seen that they embraced, not only Lord Auckland's Minute, but a series of most useful reports, which might almost have induced the hon. Gentleman to consider the appointment of the Committee superfluous. The Court of Directors took Lord Auckland's report into consideration; and it was determined that a gentleman connected with the East India Company—Captain Baylis, who was since dead—should be employed specially with a view to the introduction of cotton; and that not only American seed should be sent to India, but American planters, who might instruct the people in the most approved methods of cultivation. Captain Baylis, in 1840, proceeded to India with ten American planters, three of whom were stationed at Bombay and three at Madras; Captain Baylis accompanied the others to Bengal. The hon. Gentleman was somewhat mistaken as to the degree of success which attended the experiment. In the three presidencies it was certainly not uniform. The experiment failed in the north-western provinces, chiefly owing to two or three dry seasons, which rendered the soil unproductive, and discouraged the ryots; but in Marwa and other parts of India, the cultivation had succeeded; so that, whereas in 1842 there were only about 600 acres of American cotton grown, there were 15,000 acres in 1846. Last year, no less than 30,000 acres were under cultivation, and there were 200,000 acres now preparing for cotton, upon land, which, in some districts, would be let for a rent of 1*s.* an acre. Though the success of the experiment was admittedly not uniform—though in some parts of India the cultivation had not proceeded so rapidly as might have been anticipated, it was not correct to say that the experiment had not been attended with success. The specimens which he had seen of cotton produced in India, appeared to him—an uninstructed person, it was true—of superior quality; certainly some of them were very beautiful. Some cotton—the produce of the East Indies—had stood against New Orleans cotton last year, at

from $5\frac{3}{4}d.$ to $6\frac{1}{2}d.$ per lb. In cleaning and packing, indeed, the natives of India had not succeeded. But the hon. Gentleman knew what a change was made in the production of cotton by the introduction of Whitney's saw-gin, which had done as much for America as the steam-engine of Watt had for this country. It created that cultivation of cotton which had produced such vast results, and made a population which before knew little or nothing on the subject, the greatest cultivators of cotton in the world. As to the diminished imports of Indian cotton, it must be mentioned that the American cotton commanded the market to such an extent, that it was not worth while for the speculators in Indian cotton to bring it home under the circumstances which attended the state of the cotton market during the period to which the hon. Gentleman had alluded. It was true that there was a diminution last year, from various causes, of 23 per cent in the imports of Indian cotton to this country, and a diminution of $12\frac{1}{2}$ per cent in the imports of Indian cotton to China; but he would remark, that although there was a slight duty of nine annas to the maund in China on that cotton, yet that importation had not fallen off more than one-half what the importation to this country had been diminished. Amongst the causes which might be assigned for the decrease in the importation, he would mention the extensive speculations in opium which had taken place recently, and which must necessarily have lessened the sum of money to be applied by the speculators to the export of cotton. The exports of opium from Bombay to China last year, were 1,094,178lbs. more than the year before; and it was quite clear that with such a quantity of opium exported, there could not be the same amount of money in the hands of the speculators in cotton in India. Then, the speculations in railways tended to decrease the capital applied to the importation of cotton; and, lastly, the number of freights taken up by the vessels which engaged in the import of breadstuffs had diminished the means of sending home cotton from India. These were four causes which very materially tended to lessen the import of cotton this year. The hon. Gentleman, while he rather overrated the power of the Indian Government in this matter, had shadowed out what he supposed to be one means of promoting the cultivation of cotton in the East. He seemed to think that the mode in which the land was rented was such as did not tend to encourage that cultivation. But the hon. Gentleman was mistaken. The land assessment had nothing to do with the cultivation of cotton or of anything else. Mr. Mill, the historian, had most completely shown that the land assessment was only of the nature of rent. It was proposed in 1839, that the Government should give a bonus to promote cotton cultivation. But the Indian Government of the day as well as the home authorities scouted the idea; they resolved to give such cultivation fair play, and no more. The hon. Gentleman had stated truly that the Indian Government had made great sacrifices to promote the production of cotton; they had spent within a short period 100,000*l.* on the experiments. They continued their exertions; and scarcely a mail went out without some communication in reference to what would be a great means of encouraging the cultivation of cotton in India, namely, the formation of railroads and canals. For of what use were districts for the production of cotton if it could not without great difficulty be sent down to the coast? This he thought the best mode of fostering the cultivation of cotton; he could not agree in the opinion that prizes ought to be given. [Mr. BRIGHT: I said that prizes had been. I rather deprecated the idea.] The Indian Government were now making roads and canals in districts where the cotton cultivation promised to be most successful. The hon. Gentleman, the late chairman of the Board of Directors (Sir J. W. Hogg), had intended to speak on the present occasion; but the hon. Gentleman, he was sorry to say, was prevented by a domestic calamity. He had no objection to the Committee, though he did not augur any great results; but every facility would be afforded for conducting the inquiry, and, perhaps, he could not conclude more appropriately than by reading the substance of a conversation which had taken place between Mr. Aspinall Turner, the chairman of the Manchester Commercial Association and Sir J. W. Hogg. After some discussion the conference closed as follows:—

"Sir James Hogg then said, 'As this matter will come before Parliament, have I your permission to state that you, and the Manchester gentlemen whom you represent, are satisfied with what the Company have done?' To which they replied, 'You may state, in as strong terms as you like, that we are not only satisfied, but very grateful to the Company for their recent measures. We have no wish to interfere, and we leave the further prosecution of the cotton experiments, in full confidence that you will do all that can be done.'"

The extract now read corroborated the statement he had already made, that the East India Company would not shrink from their duty; neither would they shrink from inquiry into a system of cultivation calculated, in their opinion, to promote the welfare of that empire which he contended they governed with credit to themselves and for the benefit of the country.

LORD G. BENTINCK: I am rather more sanguine than my right hon. Friend as to the good which may be derived from a full and entire investigation of this matter. My right hon. Friend despairs of our East Indian possessions ever being able to compete with the growth of cotton in America. But, Sir, a high authority, sitting in the old House of Commons in the place which corresponded with that now occupied by the hon. Member for Durham—I mean Mr. Huskisson—stated, that if they would take the course of affording due protection to the growth of cotton in our Indian possessions, that would happen with regard to cotton which had in earlier times happened in regard to indigo—that with due protection our Indian possessions would produce sufficient cotton to supply the demands not only of Great Britain, but of all the world besides; just as in former times all our indigo had been received from Guatemala; but, in consequence of protection being extended to it, the growth of the East Indies had supplanted that of Guatemala. And Mr. Huskisson said to this House, in addition—

"And recollect that every bale of cotton imported from our East Indian possessions is necessarily imported into this country in British bottoms."

With such authority as that of Mr. Huskisson, then, I think that we need not despair, if sufficient encouragement be given, of seeing our East Indian possessions supply a large portion of cotton for the use of our manufactures in this country; but when the hon. Member for Durham told you that it was only in 1786 that the first pod of cotton was gathered in the United States of America he forgot to tell you also that the growth of cotton in America was fostered by protection—a duty of, I think, $1\frac{1}{2}d.$ a pound on all foreign cotton imported into the United States of America existed up to the very last year. Now, what are we doing? Whilst the land in India is subject to a tax—I care not what you call it, land-tax or Government rent—and is paying for the support of the Government either an assessment or a rent amounting in some places to $1\frac{3}{4}d.$ per pound, and generally to more than $1d.$ per pound, on the average growth of cotton, you take off five-sixteenths of a penny per pound from the duty on American cotton, which up to 1845 it had paid. It cannot be denied the growth of cotton in our Indian possessions is put on a most unfair basis; and I hope that this point, altogether overlooked by the two free-traders who have preceded me in the discussion, will not be entirely forgotten in the Committee; and I still hope to see a fair protection given to the growth of cotton in our Indian possessions. India is, I think, entitled to that protection, and for this reason—the quantity of cotton imported from America in 1846, at the rate of $6d.$ per pound, will give an amount of no less than 15,000,000*l.* sterling, which we pay to the United States of America, now untaxed. At the same time we exported cotton manufactures to an amount little exceeding 1,000,000*l.* sterling—I think 1,056,000*l.*; but how stands the matter with respect to India? To our East Indian possessions and to Ceylon, in 1846, we exported cotton manufactures to an amount in value of above 4,500,000*l.* sterling; and I say, therefore, that our East Indian subjects, taking out cotton goods in return for their raw cotton, have some claim upon us to encourage the growth of raw cotton in that country. It is quite true, as the right hon. Gentleman has stated, that one reason why the cultivation of cotton has so much fallen off in our East Indian possessions, is, that we have supplanted the manufacture of cotton goods by the Hindoos; but if so, is not that in itself a strong claim, and one to be listened to—calling upon us, in return, to encourage the growth by them of the raw cotton. But there is another point which I hope the Committee will also be instructed to inquire into, and that is, the encouragement which the promotion of railways in the East Indies would give to the growth of cotton. My right hon. Friend touched upon this point; but he stated, I think, that he had in contemplation the antediluvian improvement of canals. The day, I should think, is gone by when anybody would dream of encouraging the construction of canals. [Sir J. HOBHOUSE: They are also useful for irrigation.] But my right hon. Friend hardly, if at all, alluded to the utility of railways; and I find it stated in the *Economist*, and other authorities, that the cost and mode of conveyance have much to say with regard to the

cultivation of this plant. The mode in which the cotton is at present conveyed in the places where the greatest improvements have been introduced, is in carts, drawn by two bullocks together, at a rate of about twelve miles a day, each cart containing six bales of cotton of 120lbs. each; but the more ordinary course is for them to be carried in packs on the backs of the bullocks, each bullock carrying 240lbs. eight miles a day. These bullocks go together in large herds, each one splashing the other with mud. At night they lie down in the roads, sometimes with the packs on their backs; or if not, then the packs are put on the dirty ground, and thus the cotton is so injured, so filled with mud and dirt, as to be almost useless. All that may be remedied by the Indian Government, supported by the Government at home, encouraging the construction of railways; and I hope that that part of the subject will not be overlooked in this Committee. Lord Hardinge, in a letter recently addressed to the East India Company, or to the Government at home, expressed his opinion that the construction of one particular railway in India would be equal to the saving of four regiments of infantry, the expense of which he set at the lowest at 50,000*l.* a year, or the interest of 1,000,000*l.*, which would be enough to construct the railway in question; but Lord Hardinge added also that it must sufficiently appear to all, that in India the existence or non-existence of railways would frequently determine the question of peace or war. I therefore hope that in considering this question of the culture of cotton the value of improved modes of communication will be one of the first matters brought under the notice of the Committee. There is also one other question which I may venture now to mention, with a hope of being listened to, although last year if I had attempted to do so I should have been almost coughed down by the free-traders in this House. The matter is this—if we can be supplied by India with raw cotton for our manufactures, we shall be able to pay for it in our own manufactured goods, and although it was felt last year to be a matter of no consequence whatever whether we traded with a country which was disposed to take our manufactures, or with countries having high tariffs—although it was treated then as if it did not matter at all whether we were to pay in gold or in goods, and we were told that if we had to pay in gold in the long run it must come back, I venture to think that that is not the opinion at present entertained on 'Change in London, or Manchester, or Liverpool. It was, I recollect, about this time last year that, in answer to me, the then First Minister of the Crown, addressing me, uttered this memorable declaration—it was on the 4th of May, and this is *The Times* report:—

"The noble Lord said, that if we got the corn of France and the timber of Prussia, the great consideration was, what we should get them to take in return. Why, suppose they took nothing in return, what should we suffer from that? [Cheers and counter-cheers from the Protectionists.] On what principles does the noble Lord think foreign commerce is carried on? When we buy the brandies of France, they are not given to us—something is given in exchange for them. We cannot take the silks of France, the timber of Prussia, and the corn of Prussia, without paying for them—there is no mode of making purchases but by giving an equivalent for them. Well, but you say we shall send out gold for them: but, do you send out gold to those countries now? I have not seen any diminution in the gold of the Bank of England that could be attributed to this cause. If there has been a decrease in gold, it has been from our internal concerns. I have not seen that any great quantities of it have gone to Prussia. What will astonish you still more perhaps is, that I wish it had. [Cheers.] This country would be able to command a sufficient quantity of gold if it were required in the steady and legitimate course of trade. When a regular commerce is carried on, there can be no drain of gold; and even if they take nothing but gold, we can only procure that by transmitting our manufactures for that gold, and then purchasing corn and timber with it. I should not be alarmed, therefore, if there should be an export of gold from this country, knowing that we shall obtain that gold by exchanging our manufactures for it. No such export can take place as will derange our internal affairs, or derange the stability of our commerce."

Now, Sir, the free-traders have got their will—the silks and the brandies of France, the timber and the corn of Russia, and more especially of America, have to be paid for; and the wish of the right hon. Gentleman is realized with a vengeance—for the United States of America have determined to take gold, and nothing but gold, in return for their corn; but I venture to say that the most rabid free-trader either on the Exchange of the city of London or on the Corn Exchange of Manchester or Liverpool would not now propound the doctrine that he wished it might be that foreign countries should take our gold in exchange for their corn. This, also, is a matter which ought, I think, to be considered by the Committee, with a view to ascertain whether, by restoring the duty on American cotton imported into this country, and

by reducing the land-tax, or Government rent, imposed on the cotton lands in India, we might not obtain our cotton from a country satisfied to take payment in the cotton and other manufactures of this country, amounting in the year 1846 to the declared value of 4,500,000*l.* instead of giving a virtual monopoly of the supply of cotton to Great Britain to a country, insisting upon being paid, as the United States insists upon being paid, in gold only, and I believe in sovereigns of the last coinage, that there may be no loss in the weight, and maintaining in all things a high tariff against the produce and manufactures of the British nation.

On the noble Lord resuming his seat, the House was counted; and forty Members not being present, immediately adjourned, at a quarter past Eight o'clock.

HOUSE OF LORDS,

Friday, May 7, 1847.

MINUTES.] PUBLIC BILLS.—1ª Correction of Clerks.
PETITIONS PRESENTED. From Guardians of the Drogheda Union, against any Clause being inserted in the Poor Relief (Ireland) Bill which would throw the Reponsibility of Supporting the Poor on the Occupying Tenant.—From Guardians of the Hertford Union, for the Repeal of the Law of Settlement.—From the Congregation of Cowbridge Chapel, against the proposed Government Plan of Education.

POOR RELIEF (IRELAND) BILL.

House again in Committee.

The EARL of CLANCARTY said, he wished to ask a question. He wished to ask whether, under the fourth section, the Poor Law Commissioners could appoint relieving officers where they would have no duties to perform? and whether out-door relief was to be given as matter of right?

The MARQUESS of CLANRICARDE said, that such officers only as were necessary would be appointed. Out-door relief was only to be given under certain circumstances, and it would not be necessary to appoint relieving officers in all unions.

On the 5th Clause,

The EARL of CLANCARTY said, that he had given notice of his intention to move the omission of this clause. The object of this clause was to enable the Poor Law Commissioners to direct the guardians of the different unions to appoint a medical officer or medical officers for the purpose of affording medical relief out of the workhouse. He begged that in moving the omission of this clause, it would not be understood that he was desirous of curtailing the means of relief to the destitute poor in Ireland. His object in making this Motion was to benefit another class, the industrious poor of that country. He wished to see the medical charities placed on a better footing. If a greater number of these institutions were established, there would be in every electoral division the means of affording medical relief to all classes. The Fever Bill, which now afforded some relief, would expire in November next, and he hoped that the Government would introduce some further enactment on this subject, to come into operation when that Act expired. He moved the omission of the clause.

The MARQUESS of LANSDOWNE said, that this clause would not at all interfere with the existing medical charities in Ireland; it was, on the contrary, a clear addition to their other means of relief in sickness. He thought that it would not be for the benefit of the sick poor if the Commissioners had not this power to appoint medical officers te give medical relief out of the workhouse, that it should be understood that this arrangement would not stand in the way of any more beneficial measure which might be introduced.

Motion negatived.

The EARL of CLANCARTY suggested, that as all the relieving clauses were to be of a temporary nature, the words which had been introduced into the first clause should be introduced here, so as to make this clause temporary also.

The MARQUESS of LANSDOWNE said he understood, after the vote of last night, that the whole Bill was to be temporary.

LORD STANLEY said, he thought that some words should be inserted if the clause was intended to be of a temporary nature.

EARL FITZWILLIAM said, he thought it would be better to give the Bill a temporary character altogether.

LORD MONTEAGLE said, that the intention with which he moved his Amendment last night was, that those clauses only should be of a temporary nature which were connected with the new principle of giving out-door relief.

The EARL of WICKLOW said, that from what had fallen from his noble Friend, it was quite clear that their Lordships, when they divided last night, were in complete error as to the intentions of his noble Friend. The Notice given by his noble Friend was, "The Lord Monteagle of Brandon, to move to limit the operation of the Bill to the 1st of August, 1847, and to

the end of the then next Session of Parliament." The "Bill" must mean the whole Bill or nothing. The matter was now in such a state of confusion, that no two men could agree as to the nature of the vote which the House came to last night.

LORD MONTEAGLE said, he last night stated what the object of his Motion was; and he must deny that the confusion mentioned by the noble Earl had any existence, unless in the noble Lord's own mind.

The MARQUESS of LANSDOWNE said, that not all the ingenuity of his noble Friend could get rid of the confusion to which the House must be subject after the Amendment which was carried last night; for it was now impossible to tell what parts of the Bill his noble Friend intended should be permanent and what temporary. He (the Marquess of Lansdowne) must disclaim on his own part and on the part of Her Majesty's Government making any answer to the question of the noble Earl (the Earl of Clancarty). It was for the noble Lord (Lord Monteagle) to give an answer. It was not for him (the Marquess of Lansdowne) who had not been admitted into the secret councils of those noble Lords, to go from clause to clause and say, "In this I see the fitness of permanency, and the fitness of that is temporary;" and he must beg, on his own part and on the part of Her Majesty's Government, to disclaim the means of giving any answer to any question of that sort. He must beg leave to refer the noble Earl to the noble Lord (Lord Monteagle) and those who voted with him; and if the noble Earl asked him the question, whether he thought the words ought to be applied in this clause, he could only say they might be applied or they might not be, as this clause might exist independently of out-door relief, or it might be made to fall with out-door relief.

EARL GREY: Is this clause limited or not?

LORD MONTEAGLE: Certainly not.

EARL GREY said, this was a most important point. Undoubtedly the Amendment of which the noble Lord gave notice was one thing, and the Amendment which he actually moved was a very different thing. He apprehended that no one could doubt what the noble Lord really meant. His clause provided additional means of medical relief to the poor of Ireland. The noble Lord said that it was to be permanent. He (Earl Grey) agreed with him that it ought to be permanent. But by the vote of last night, the clause authorizing out-door relief had been made temporary, and the House had decided that, for the next two or three years, if the workhouses were full, an able-bodied man was not to be allowed to die of starvation, but to be relieved from the property of the country. But he wished to know why, after the two or three years, that man was to be allowed to die of starvation, but was still to be allowed medical relief. What was right to-day was right to-morrow and hereafter. The real truth was, that the noble Lord wished to give a damaging blow to the Bill at an early stage of the discussion. He did not wish to wait for the legitimate and proper time of discussing the question of making the whole Bill permanent or temporary; but he availed himself of a technicality to introduce those few words limiting the operation of the Bill, though he (Earl Grey) believed that a majority of the noble Lords who voted for that Amendment did not perceive its full drift and scope, for he thought that its effect at this stage would be to impair and damage the Bill that the House was about to discuss; but noble Lords must be well acquainted with the long-practised ingenuity of his noble Friend in Parliamentary tactics to fully comprehend this dexterous and successful manœuvre. He (Earl Grey) could not help expressing his great satisfaction at this incidental discussion, for it had shown to their Lordships and to the public the spirit in which it was endeavoured to amend this Bill. He trusted that the public opinion was too firmly in favour of this measure to render any risk of its being ultimately seriously damaged by any manœuvre, however well matured, or however dexterously applied.

EARL FITZWILLIAM said, that the Bill contained a great variety of enactments, and of course it was probable, nay, it was almost certain, that it must contain some which ought to be temporary, and some which ought to be permanent. The noble Earl said, that the noble Lord (Lord Monteagle) had availed himself of a technicality to defeat this Bill. He asked, why was the noble Earl to avail himself of a technicality to induce the House, by means of those parts of the Bill which were acceptable to all of them, to give their sanction to a principle of which many of them disapproved? It would be better to consider the Amendment carried last night as affecting the whole Bill.

LORD MONTEAGLE could not help observing that his noble Friend (Earl Grey)

had more than once made use of the expression that this Amendment of his (Lord Monteagle's) was some manœuvre — his noble Friend did not exactly say deceit, but he spoke of it as a piece of Parliamentary tactic and ingenuity, and certainly conveying the impression that it was his (Lord Monteagle's) wish to deceive their Lordships. Now, he would appeal to the Treasury bench, and to every noble Lord who heard the debate last night, whether he did not distinctly, when moving his Amendment, state, in the clearest manner, that his intention was to move that the clauses relating to out-door relief were to be made temporary, while the rest were to be made permanent? Was that object concealed from anybody? He thought it was rather hard, after such a distinct statement of his object, that he should be charged with having deceived their Lordships into acceding to the Amendment he proposed. But, as the same accusation which had been made against him of having practised this supposed deception on their Lordships, must reflect upon the majority of the House, he was perfectly ready to share the obloquy which was to be borne by that majority.

The EARL of ST. GERMANS, in answer to the appeal of the noble Lord, felt bound in honour to say, that although he (the Earl of St. Germans) was opposed to the noble Lord on his Motion, yet he distinctly understood the noble Lord to say, that by his Amendment he intended to provide that one part of the Bill should be temporary, and the other permanent; though, certainly, there did appear to him (the Earl of St. Germans) a distinction between the explanation of the noble Lord to-day and the Amendment as it appeared on the paper. There was some degree of uncertainty prevailing throughout the discussion of last night as to which of the clauses the noble Lord intended should be permanent, and which temporary; and that was one reason why he (the Earl of St. Germans) voted against the Amendment, because he thought their Lordships were prejudging the question. He certainly was of opinion that great inconvenience had arisen from the division of last night.

LORD CAMPBELL very much regretted the confusion which had been occasioned by the Amendment of his noble Friend. Though a lawyer of some experience, he certainly was at a loss to know what was the legal interpretation of the words which had been introduced into the Bill by the Amendment of his noble Friend, who told them that his intention was to divide the Bill into two separate parts; the one to be temporary, the other permanent. But, then, every word of the Amendment applied to every part of the Bill. It certainly would be a very novel mode of legislation to have one section of an Act of Parliament temporary and another permanent, unless it was distinctly pointed out in each clause. In the New Poor Law, for example, there was a temporary clause, which declared that the Commissioners should be appointed for five years only; but that appeared upon the face of the clause itself. There was no ambiguity there. He earnestly hoped that his noble Friend would not persist in this mode of dealing with the measure; he would not say by attempting to damage the Bill, because no doubt his noble Friend's object was to render it as little objectionable as possible; but he would earnestly appeal to his noble Friend to allow the words of his Amendment of last night to be erased, and that he would come back to his first thoughts, which, according to the notice he gave, were to move the rejection of out-door relief altogether, and to allow all the other portions of the Bill to be permanent.

LORD MONTEAGLE felt the difficulty of contending with his noble and learned Friend; but, nevertheless, he would take upon himself to say, as a lay Member of their Lordships' House, that there was no difficulty at all in this measure. Was his noble and learned Friend prepared to say, that there were no permanent Bills containing temporary clauses, and that there were no temporary Bills containing permanent clauses? [*Laughter.*] Yes; temporary Bills in their general enactments. He admitted that there might be some complexity arising from the Amendment of last night, if it were not proposed to insert at the end of the Bill a clause pointing out those clauses which should be temporary, and those which should be permanent. That was his answer to his noble and learned Friend.

The MARQUESS of CLANRICARDE considered that the Amendment proposed by the noble Lord last night was totally different from that of which he had given notice. The noble Lord's original proposition was, not to make the out-door clause temporary, but to omit it from the Bill altogether. The fact was, that their Lordships had got the Bill into a state of inextricable confusion by the Amendment of

last evening. He hoped his noble Friend would reconsider the subject.

The EARL of SHREWSBURY said, that as he was one of those who voted with the noble Lord (Lord Monteagle) last night, he must honestly avow that he did so in error. He voted with the noble Lord, not as being opposed to the principle of the Bill, or to any part of its principle, but he did so because he thought it was impossible to be carried into effect; and he, therefore, believed it would be highly advantageous that the measure should return to their Lordships as speedily as possible for reconsideration. In fact, he thought it was a Poor Relief Bill which could not relieve the poor.

The EARL of CLANCARTY would withdraw his Motion for omitting the clause, and reserve himself to make another proposition on the bringing up of the report.

The MARQUESS of WESTMEATH complained of the construction which the noble Secretary of the Colonies (Earl Grey) had put upon the motives of those who voted in support of the Amendment of last night. The noble Earl had also come down at the heel of the discussion and stated that they were to have public opinion to bear upon this question. Now he (the Marquess of Westmeath) did not know exactly what the noble Earl meant; but their Lordships knew that they had had some very coarse comments made elsewhere upon their proceedings; and he certainly must lament hearing a Minister of the Crown getting up and threatening their Lordships with the awe of public opinion, as if their Lordships were not an independent branch of the Legislature.

Clause 5 was then put and agreed to.

On Clause 6 being read,

LORD STANLEY moved to propose the substitution of a clause for the one which was now before the Committee. Their Lordships had decided that there should be relieving officers to carry out this measure, and that the appointment of those relieving officers should be left to the boards of guardians; and the present clause proceeded to define the duties of those relieving officers. He would just remind their Lordships of the nature and extent of those duties, and in doing so, would compare them with the extent of the duties to be discharged by the relieving officers in England. The average population of a union in England was 24,845; the average population of a union in Ireland was 65,384; there were upwards of 620 unions in England, no less than 541 of which were of an area below 100,000 acres; while in Ireland the number of unions was only 130, and there were only twenty-six of those unions whose area did not exceed 100,000 acres. The average area of 570 of the unions in England was about 53,297 acres, while the average area of the whole 130 unions in Ireland was no less than 146,000 acres. This additional difficulty, therefore, applied to the case of the relieving officers in Ireland, beyond those difficulties which arose from the social state of Ireland; in England there was one board of guardians to an area of 53,297 acres, with a population of 24,845; while in Ireland there was one board of guardians to an area of 146,000 acres, with a population of 65,384. The parties to afford relief under this Bill were the relieving officers, and with them would lodge the discretion of granting or of withholding outdoor relief throughout these extensive areas. They would have no means of referring for advice or assistance to the boards of guardians, who might, in the case of each union, be sitting at a distance of twenty, twenty-five, or even thirty miles from the places in which the duties of the relieving officers were to be performed. The consequence of this inability to make immediate application to the board of guardians, might be to place the relieving officers either in a state of the most imminent danger, or else, from fear of violence, they would not dare properly to discharge their duties, but would prefer running the distant risk of having their conduct disapproved of by the board of guardians, than refrain from a system of very lavish and improvident expenditure of the public funds. He had placed an Amendment upon the Paper which he believed would have the effect of interposing a controlling power between the board of guardians and the relieving officer. He did not mean to state that his plan was free from objection, or that it did not admit of amendment. He should not come to a division upon it, but he thought he should not have been doing his duty if he had not pointed out the danger which would beset a great number of the relieving officers for want of a sufficient degree of power on the part of the board of guardians, and if he did not also suggest what he believed would be a remedy for that evil. The remedy he proposed was, that independently of the board of guardians, there should be in each electoral district a subordinate board to discharge the duties

of a relief committee, and with whom there should be associated a certain number (he would limit that number to two) of the highest ratepayers of the district; the relief committee being formed of the guardians of the union, resident on, or having rateable property within, the district; that this board should have the power to entertain applications for relief, which could not properly berelieved by the board of guardians. This he proposed to be done in the following way: every relief committee would be directed to meet weekly, and the relieving officer would on those occasions report to them every case of sudden or urgent necessity that was brought under his notice, and should have power under an order signed by the chairman, to give provisional relief in all such cases, by affording food, lodging, or medical attendance; but that the relieving officer should report the case, and the nature and cost of relief, to the next meeting of the board of guardians, and thereafter should give no further relief except under the direction of the board. There might, no doubt, be objections to this proposal; and one of these might be, that there would be difficulty in obtaining meetings of those parties whose decision was necessary to meet cases requiring immediate relief—a difficulty which might not be experienced as the Bill now stood, by which uncontrolled power was given to the relieving officer. But he thought this objection would have little force in practice, while great benefit would flow from his proposal, both as regarded the relief and the administration of the funds. In the first place, the funds would be intrusted to the administration of a party in whom they could repose greater confidence than in the relieving officer; and, in the second place, the relieving officer, who would incur great responsibility by the present system, would be protected by the board under whom it was proposed he should act. He threw out this question for the consideration of Her Majesty's Ministers, in the hope that they might see it their duty to adopt its principle; but it was not his intention to give their Lordships the trouble of dividing upon it, unless he found that it met with their very general concurrence. The noble Lord concluded by proposing a clause in the room of No. 6, and embodying the above proposal.

The MARQUESS of LANSDOWNE said, he could not give his concurrence to the suggestion of the noble Lord; at the same time, that he admitted that there were some of the circumstances to which the noble Lord alluded that were deserving of some consideration from their Lordships, he could see many objections to the introduction of such a system as that proposed. Under the existing law there were many difficulties often found to arise in getting the boards to work; and those difficulties would be materially increased if a second board were in existence on which a part of the responsibilities would be thrown. Besides, the electoral divisions were exceedingly ill calculated, in most cases, for being formed into a sort of separate unions, as they were originally arranged, not with a view to the granting of relief so much as to the area of taxation. They were formed with reference to taxation, and not with reference to the extent and wants of the population. He believed the difficulties would be insuperable in getting an attendance of guardians at the meetings of the two boards. But, while saying this, he admitted, at the same time, that there was a great deal of justice in the noble Lord's observations with regard to the inconvenient size of some of the unions. Perhaps the noble Lord would consider that his objections in this respect would be sufficiently met by the adoption of the clause in the English Poor Law Act, under which the Poor Law Commissioners were given power to authorize boards of guardians in large unions to appoint committees of their boards to meet at convenient places for the purpose of giving relief.

LORD STANLEY said, he would be quite satisfied with the proposition of the noble Marquess, as he considered it nearly identical with that which he suggested. It was not very material whether a subordinate board, such as he suggested, were appointed for each electoral division, or whether the board of guardians appointed committees of their own body to meet in each division.

The MARQUESS of LANSDOWNE said, there was by no means that identity between the two plans which the noble Lord supposed. The noble Lord made it imperative to have a relief committee sitting in each electoral division, whereas the clause in the English Act only empowered the Poor Law Commissioners to authorize the guardians to appoint committees of their own body in some distant districts of the union. As he before said, the electoral divisions were exceedingly ill qualified for the administration of relief.

LORD STANLEY said, he considered the plan which he proposed necessary, both for the protection of the public purse, and for the protection of the relieving officers themselves. In effecting these objects, it was a question whether they ought not to associate with the guardians two of the highest ratepayers in each electoral division, who though, perhaps, not of sufficient station to be appointed guardians, would consider it an honour to be elected to serve with the guardians, and would be able to afford valuable aid, from their local knowledge and habits of business. It would be a great protection to the relieving officer to be deprived of the power of granting aid on his own responsibility alone, and it would also be a saving to the public purse.

LORD WARNCLIFFE concurred in the objection made by his noble Friend to the enormous extent of some of the unions, such, for instance, as the Westport union, and others in the west of Ireland. He did not know how Her Majesty's Government intended that applications for relief were to be made from districts thirty or forty miles from the union workhouse, unless some additional machinery were introduced.

The EARL of CLANCARTY thought that some words ought to be introduced restricting the power of the relieving officer in giving out-door relief more definitely than was done in the clause.

The MARQUESS of CLANRICARDE thought the words used, and the restriction at the end of the clause providing that the temporary relief should be given only "at such times and in such manner as the Poor Law Commissioners shall determine and direct," were sufficient to prevent any improper use of the power vested in the relieving officer. As to what had fallen from the noble Lord opposite (Lord Wharncliffe), he should remind the House that in those very large unions a great part of them consisted of waste lands from which no rates could be levied.

The EARL of HARDWICKE said, that, considering the extraordinary power which they proposed to vest in the relieving officer, he could not help thinking that he ought to be a man such as had been described the night before. Her Majesty's Government ought to remember that they were very generally advised on the preceding evening that the person to be entrusted with this power should be a person in whom the utmost confidence could be placed; and he hoped steps would still be taken to prevent the appointment of such an officer resting with the guardians.

Amendment withdrawn.

Clause agreed to.

On Clause 7 being moved,

LORD MONTEAGLE said, he wished to suggest that the clause be so worded as to prohibit any relief being granted out of the rates in aid of wages or towards payment of rent.

The MARQUESS of LANSDOWNE said, he certainly should not object to such a clause; but he thought the nature of the relief to be given was so specifically fixed, that no danger of the abuse which the noble Lord wished to guard against was to be apprehended.

LORD BROUGHAM expressed his entire concurrence in the opinion of his noble friend opposite (Lord Monteagle), that the payment of any portion of rent or the payment of any portion of wages out of the rates would be the greatest of all possible abuses. But the difficulty was how to prevent such an abuse, and how to draw up a clause prohibiting the application of the rates to such purposes. If they once gave out-door relief, they admitted the possibility, nay the probability, of paying wages or paying for rent. Suppose a man was poor, but still enabled in the natural way to earn 4*d.* or 5*d.* a day, and that, not finding this sufficient, he applied to the parish for more, and supposing that the workhouse was full, then, coming under the description of persons entitled to relief, he obtained the additional assistance, and so managed to make both ends meet. He would get 5*d.* from his employer and 3*d.* from the rate, and with this conjoined he lived very well, and would occupy a position sufficiently easy to make him perhaps envied by a landowner. He (Lord Brougham), though approving of the suggestion of his noble Friend, could not therefore see how it could be worked out; and this, in point of fact, amounted to one of the greatest of the objections which he entertained to the measure.

The MARQUESS of LANSDOWNE observed, that the pictures of difficulties which the noble and learned Lord (Lord Brougham) had painted as likely to be attendant on this unfortunate Bill, were only those difficulties and dangers incidental to the operation of every poor law, and which might have been prophesied quite as justly in reference to the law passed for this country, or in reference to any poor law

which had ever been proposed. The Government, in framing this Bill, had proceeded on the assumption of certain circumstances, and had prepared for the occurrence of exceptions to what they believed to be the rule; and when noble Lords came to state particulars and enumerate peculiar dangers, the only reply he could give was that they might multiply these cases *ad infinitum*, and under no poor law would they find a solution for the difficulty but by lodging a discretion somewhere. That discretion was intended to be placed in the hands of the Poor Law Commissioners, and every care was to be taken that they would exercise the power wisely, justly, and charitably. He could not argue with the noble Lord on every one of the exceptional cases which his ingenuity might point out; he did not deny that some of these difficulties might arise, but he was of opinion that they would not be of such frequency as to interfere with the general efficiency of the measure. The question had been put to Sir J. Burgoyne, whether under this measure relief could be given in aid of wages; and the reply had been in the negative. As such relief could not be given, the noble and learned Lord need be under no apprehension of such an abuse as that which he had contemplated.

The EARL of WICKLOW could assure the noble Marquess, that, short as the time had been during which the Temporary Relief Bill had been in operation, the people of Ireland had already found out that they were enabled to receive relief without being really in a position to require it; and they had in numerous cases given up all kinds of labour, discontinued all self-exertion, and thrown themselves destitute on the public funds. In this measure now before the House there was a clause the effect of which would be to prohibit the holder of three or four acres, however poor, from receiving relief; and this would act as an inducement to many of the small farmers to throw up the few acres they held, and depend for subsistence on the board of guardians.

The EARL of CLANCARTY observed, that this clause was a copy in every respect but one of a clause in the existing Poor Relief Act — that part of the original enactment being omitted which made children liable to maintain their parents. He wished to know whether the omission was accidental or intentional ?

The MARQUESS of LANSDOWNE said, that he would make inquiry upon the subject, and the provision could be inserted upon bringing up the Report if deemed necessary.

Clause agreed to.

The 8th Clause (relief not to be given out of the union to which it is charged) was also agreed to with verbal amendments.

On question that Clause 9 (occupiers of a quarter of an acre not deemed to be destitute) stand part of the Bill,

EARL FITZWILLIAM said, it appeared to him and others that this clause was loosely worded, and might be misunderstood. He had therefore drawn up a clause which he purposed substituting for that in the Bill. The noble Earl read his clause as follows :—

" And be it enacted, That no person who shall be in the occupation of any land of greater extent than the quarter of a statute acre shall be deemed and taken to be a destitute poor person under the provisions of the first recited Act, or of the Acts amending the same, or of this Act ; and if any person so occupying more than the quarter of a statute acre shall apply for relief, or if any person on his behalf shall apply for relief, it shall not be lawful for any board of guardians to grant such relief within or out of the workhouse, unless such applicant for relief shall bring satisfactory proof that he has (at least ten days previous to such application) surrendered to his reputed immediate landlord, which surrender such landlord shall be bound to accept, whatsoever right or title he may have had to the occupation of any such land over and above the extent of one quarter of a statute acre."

The MARQUESS of LANSDOWNE thought the words suggested by his noble Friend would make the law more strict and be more satisfactory than those originally inserted in the Bill.

Amendment agreed to.

On the question that the Clause so amended stand part of the Bill,

The EARL of ST. GERMANS moved that the clause be omitted altogether. The question for their consideration was, what amount and species of relief should be afforded to the destitute poor of Ireland. The change from the present system must be gradual and a work of time ; and he thought the necessity of administering relief or not should be left to the discretion of the boards of guardians. There was a prevailing opinion that these boards could not be trusted—that on all occasions they would be guilty of extravagance and jobbing in the administration of relief. If this were true, it would be an argument against allowing them any power at all; it would be better to supersede the system altogether, and give the necessary

relief through paid Government officers. But, as far as his own experience went, he did not believe that boards of guardians were inclined to administer relief with a lavish hand; and he had no fear that they could not be trusted with the same power as boards of guardians in England. The clause denied relief to a man holding more than a quarter of an acre of ground; but a person holding more than that small portion might be reduced to actual destitution, and require relief; the administering it ought to be left to the discretion of the board of guardians.

The EARL of RODEN opposed the omission of the clause. It was generally admitted that it was one of the most beneficial in the Bill. Boards of guardians frequently exceeded their powers, and went beyond the provisions of the present Act. The board of which he was chairman had given relief in food out of the workhouse to any one who brought a ticket from a guardian, though it was directly contrary to the law, and he had protested against it.

LORD BROUGHAM said, though it might be true there were exceptional cases in which boards of guardians might be trusted, yet facts and evidence proved restrictions to be necessary. The case stated by the noble Earl was clearly a direct violation of the Act of Parliament; and he believed no restrictions they could devise would entirely prevent abuses.

The MARQUESS of CLANRICARDE was not inclined to fetter boards of guardians too closely, yet it appeared to him advisable and expedient to adopt such a clause as the present. From the change going on in Ireland, those who had hitherto lived by holding small pieces of ground would no longer be able to do so. The destruction of the potato, and the change from that root to grain for food, would make it impossible for holders of very small portions of land to live wholly by them. The clause tended to make less difficult a change which must take place, and the sooner the better. He could not support the Amendment of the noble Earl.

Motion negatived. Clause, as amended, agreed to.

On the 11th Clause,

The EARL of WICKLOW said, by this clause they were not only making a total alteration in the Poor Law of Ireland, but in the principle of the Poor Law as established in this country. The nature of the clause was, that in every electoral division, whenever the rate on a half-year exceeded 1*s.* 3*d.* in the pound, the overplus should be thrown on the union at large. That, he contended, would have the effect of discouraging landlords from improving their property. The Amendment he proposed was to substitute words, the effect of which would be, that the rate in aid should extend only to out-door relief, leaving relief in the workhouse precisely as at present.

LORD BEAUMONT, on a balance of arguments, was inclined to agree with the noble Earl.

The EARL of DEVON was understood to say, he could not support either the clause or the Amendment of the noble Earl. He was quite sure that those who framed this clause were not acquainted with the peculiar circumstances of Ireland.

LORD MONTEAGLE said, the immediate pressure of defraying the rates was the economical check on which they had to rely for the prevention of abuses. It was in the out-door portion of the relief to be given that the excess was most likely to take place; and yet this clause departed from the economical check where it was most required—namely, with respect to out-door relief; and adopted it where it was least required—namely, with respect to in-door relief. The principle of the clause was one which noble Lords who were conversant with the administration of the Poor Law in England would readily understand, by its being a permanent enactment of a general rate in aid, whenever certain circumstances should arise; and by it they would tax highest the electoral divisions in which most capital had been expended, and where most labour was employed in improvements. Just in proportion as they extended the districts in which the rating was to be made, would they discourage the improvement of the soil, and diminish the employment of honest labour and the investment of capital. He prayed noble Lords to hesitate before they consented to impose such restrictions on the development of the resources of Ireland. However, he saw no reason to adopt the Amendment; he rather thought that Amendment would make the Bill worse than it was; and he should concur in maintaining the law as it was at present, and abiding by what was called the Duke of Wellington's Clause, thus giving the landlords the strongest inducement that could be given them to

improve their property and furnish employment to the people.

Lord HATHERTON wished to call attention to the question, what would be the effect of the clause on those landlords whose estates were encumbered. The proposed clause would be a distinct notice to the English capitalist not to invest his money in Irish land. He sincerely hoped that his noble Friend (Lord Stanley) would succeed in the rejection of this clause.

The Marquess of CONYNGHAM objected to anything like a national rate; and he objected, therefore, to the Amendment.

Lord STANLEY asked whether his noble Friend intended to press his Amendment to a division; as, until this question was decided, he could not bring forward his Amendment.

The Earl of WICKLOW had such objections to the clause as it stood, that if the Government persisted in it, he intended to vote for the suggested Amendment of the noble Lord.

The Marquess of LANSDOWNE said, that he was opposed to the Amendment, as it would increase the expenditure for out-door relief.

Amendment withdrawn.

Lord STANLEY said, that he now rose to bring forward the Motion of which he had given notice, to reject the clause altogether. The discussion which had already taken place on this subject precluded the necessity of his addressing their Lordships at any length, because, in point of fact, the merits of the clause, and the objections raised, and whatever could be said in its defence had been fully stated to the House. It was, however, a matter of satisfaction to himself and to those with whom he acted, to find that, with the exception of the noble Marquess the President of the Council, there had been an almost entire unanimity of opinion in condemning the principle, and deprecating the evil consequences which must follow from the adoption of this clause. Whereas, at the present moment, under a general law of settlement, every electoral district was liable for its own poor, this clause proposed to alter that law, and to substitute the provision that whenever from improvidence or carelessness, or any other cause, the rate of any particular district should exceed 2*s.* 6*d.* in the pound for the year, then all the other districts should be taxed for the excess. That, on the very face of it, appeared to be an impolitic course of proceeding. Suppose an improvident and rack-rent proprietor should be surrounded by persons who attended to their estates, who were at great expense to improve them, and had devoted to them their time, and labour, and patience, was it right that the rack-renting landlord should have a premium and reward by being entitled, in virtue of the heavy charge which his improvidence had brought upon his estate, to charge that excess upon all his more provident and thrifty neighbours? He could understand that something might be said in favour of this clause, if it referred to the great towns, and to the great towns only; but with regard to the country districts, it must, he conceived, be apparent without further argument, that in the circumstances of any country, but more especially in the circumstances of Ireland, where every inducement should be held out and every premium should be offered to those who were provident, and who were willing to sacrifice the temporary interests of property to secure its future welfare, this was a most impolitic as well as a most unjust measure. Though he did not wish to refer to any special instances, he was desirous to speak of a case that came within his own observation. He should state the precise position in which he was himself placed; the greater part of his property in Ireland was in an electoral division of which he owned about one-half; the electoral division consisted of 8,000 acres, and was rated at about 8,000*l.* or 9,000*l.*; as the proprietor of one-half of that electoral division he was subjected to the payment of the rates of about one-half, and he did not complain of that, but while he was charged with one-half of the expense for his half of that electoral district, the pauperism of his one-half was just one-fifteenth of the pauperism of the whole. If cases of this kind were to arise, and if so heavy a burden as this were to be thrown on unencumbered estates, it would be impossible to exaggerate the mischiefs which would result from so unjust and inequitable a system. How distressing would be the condition of the proprietor who, after having done his utmost for twenty-five years to keep down pauperism in his own district, and to make all around him comfortable, found himself suddenly made responsible for the relief of the destitute population in an additional area, covering some two or three hundred thousand acres! All combinations for prudent arrangements—all economy, all movements on the part of the landlords having

for object the comfort and respectability of their tenantry, would be at an end; and on the part of all classes there would be a general scramble to get as much as possible, and to do as little as possible in return for it, as every one would feel that their property was charged under a system of compulsory taxation, not to benefit their own poor, but those of others. He had little to say in favour of the Amendment, for, in truth, he had not heard a word denying the unfairness of the present clause, nor had he heard a word against the fairness and propriety of still further diminishing even the area of electoral divisions—of diminishing the area from which taxation was to be taken, and of thus increasing the inducements to private and personal exertion, and to private and personal responsibility. The average of the area of the unions in England, as contrasted with that of the unions in Ireland, were, as he had on several occasions stated, as 53 to 146—that was to say, the average area of the union in Ireland was threefold that of the English unions. This was the relative position of both countries; and he asked their Lordships whether they thought it possible that the Poor Law could be administered properly, and with a due regard to the interests of all parties concerned in England, if every destitute person within a range of three unions were to be made chargeable on their Lordships' well-managed estates in the several counties? But they were told that unless this was a measure intended for the relief of the towns, and that unless it were adopted, a general and sweeping system of ejectment would be resorted to on the part of the landed proprietors, and the towns would be overwhelmed with the burden of the rates; and the noble Marquess stated that it was intended to prevent what would be something like a confiscation of the property in towns. And what was it that this clause was to do? Practically it was proposed to enact by this clause that when the rates in a town exceeded 2*s.* 6*d.* in the pound, they were to make a rate in aid over the adjoining rural parishes. Their Lordships could not by the forms of the House alter the terms of this clause; but a half-crown rate was not an immoderate rate to be imposed upon the principal towns in Ireland; and if the Bill should pass, and it should be determined to call for a rate in aid, whenever the charge should exceed 2*s.* 6*d.*, then he should never expect to see a rate in any town throughout the country so low as 2*s.* 6*d.* The effect of the clause would therefore be to substitute, in almost every union in Ireland, a general union rate for an electoral district rate, and that whereas the electoral districts were already too large, they were going to multiply the area of those districts twentyfold, and thereby increase the objection to the present extent of their areas twentyfold; and what was the reason assigned for this? It was said to be to protect the towns from being overrun with paupers ejected from their holdings in the rural districts, who would become chargeable upon the towns. He thought that those who made this objection were very imperfectly informed as to the real state of the present law. It was not true that if he were to eject a person from his estate, and if that person were to go into the town of Tipperary, within three or four miles of his own parish, that that person would become chargeable on the poor-rate of Tipperary. The law stood thus—for, in point of fact, there was, practically, a law of settlement in Ireland at this moment—and this was how it stood—any person who should for a period of twelve months out of the last eighteen months have been resident within an electoral division, should have a claim to be relieved out of the funds of that electoral division. Consequently, if he (Lord Stanley), by reason of clearing an estate, were to send a number of persons into an adjoining town, they would have no claim whatever upon the funds of the electoral division in which that town was situated, until they had resided there for a period of twelve months at least; and if, previous to their removal, they had become chargeable upon his (Lord Stanley's) electoral district, then, although they had removed into the town, they would still remain chargeable to that electoral district; and even if they did become chargeable upon the electoral district in which the town of Tipperary was situated, there would still be no necessity for this clause; because, in that case a provision was made that all such persons were, by the law, chargeable upon the rates of the union at large. He thought that this statement of the law would go far to remove the objection which their Lordships entertained respecting the possible hardship to the towns; but this belief was, that this clause arose from the fears entertained by some six or seven great towns in Ireland; and yet, what was the fact with regard to those very towns? Why, they were, at this very moment, diminishing and not increas-

ing in population. He had already adverted to the injustice and impolicy of this clause. It would greatly discourage the investment of English capital in the cultivation of the land, and would seriously injure a large portion of the landlords of Ireland. As far as he was himself concerned, although he had property in that country and had for twenty-five years done what he could to improve the condition of his tenants and the people on his estates, yet he was not so immediately connected with Ireland as to make such a measure as this of any very serious importance to him. He thanked God that his interest was not so bound up in it but he could withdraw from that property and from the responsibility connected with it, and he could fall back upon the means which he possessed in England. But there were others who were bound by every tie to the soil of that country, whose whole interests and attachments were most deeply centred in the land of their birth—persons whose exertions there were of the most valuable description, and whose presence was most necessary; and the withdrawal of whom from that country would be most seriously injurious to it. Then, were their Lordships, by the passing of this clause, willing to declare to those persons that all the reward which they had to propose to them for all the exertions, all the great labours and the immense sacrifices which they had made for the advancement of Ireland, and for the improvement of the social condition of her people, was nothing more than that they should be additionally taxed in order to relieve the improvident, and to aid and encourage the recklessness of those who had neglected their duty?

Earl GREY had listened with attention to the argument of his noble Friend against the adoption of this clause, and, however strong might be his inclination, on the first hearing of the argument, to agree with his noble Friend, yet on considering the real effect of the clause and the real bearings of it, he certainly thought they afforded ground for retaining it. His noble Friend had said that he believed that this clause was only demanded by five or six great towns in Ireland, the inhabitants of which apprehended some possible inconvenience from the enactment of this Bill without some such protection; but in which as yet no practical inconvenience had been experienced. In point of fact, however, his noble Friend had been misinformed. He believed that the other portions of this Bill, without this clause, were likely to be much less disadvantageous to the great towns of Ireland, such as Cork and Dublin, and others of the first class, than to the smaller class of country towns—that sort of towns which in Ireland were very frequently the chief places in the union. It was upon those smaller towns, which formed the centre of the unions, that their Lordships would, by withdrawing this clause, inflict the greatest injustice. He was prepared with a statement of what had occurred even under the existing law, which he considered would be an answer to much of his noble Friend's argument; and he was about to refer to that statement the more readily, because he thought it would throw a most valuable light upon the practical working of the present law. He held in his hand a petition agreed upon at a public meeting held in Killarney on the 3rd of December, 1846. It was a meeting of the clergy, gentry, and ratepayers, and was presided over by a clergyman. It stated, that up to that period, namely, December, 1846, there had been only three rates imposed on the union. The first was on the 17th of August, 1844, and was a rate of 8*d.* in the pound on the town and the whole union. The second rate was levied on the 14th of February, 1846, and was a rate of 1*s.* 6*d.* in the pound on the town of Killarney electoral division; while a rate of only 6*d.* in the pound had been levied on the eleven rural electoral divisions of the union. But observe how unjust and inequitable was the pressure. The total expenditure on account of the relief of paupers for the year 1846 amounted to 655*l.* Of this sum no less than 423*l.* 18*s.* was charged to the Killarney electoral division, which was inhabited by a population of 11,383 persons, who were principally engaged in industrial pursuits, and maintained by their own personal exertions. That population contributed for the relief of the poor no less a sum than 423*l.* 18*s.*, which was about twice the amount contributed by 41,242 persons who were the inhabitants of the remaining eleven rural districts, and whose rateable property amounted to 7,600*l.* It was to prevent the recurrence of evils like this, and to preserve the equilibrium of pressure in the towns and rural districts, that the eleventh clause had been introduced. But the grievance of the petitioners did not stop at the point he had already described, for they went on to make a statement to which he begged leave to call the especial attention of the noble Lord

opposite (Lord Stanley). He found it stated in the petition that a great number of the paupers that were charged upon the town electoral division were not natives of Killarney, but were strangers living beyond that division of the union, and who had taken their residences in that electoral division within twelve months. A material point in this case was—and he begged to call his noble Friend's attention to it—that a large proportion of these paupers were small cottier tenants, who had come from those very rural districts which were thus lightly charged—men who were broken down by misfortune, or who had suffered from having all their property extorted from them for rent, and who, quitting their former residences, came into the town as a common centre of refuge. Surely in a country where such a state of things could exist, it was idle to contend that the law of settlement to which the noble Lord had already alluded as being in practical operation in Ireland, afforded sufficient protection to country towns situated as Killarney was. This was not a speculative case, but one which showed that practically, under the operation of the law as it now stood, the centre towns of the union were exposed to a very grievous hardship. But, finding this evil to exist at the present moment, would it not greatly increase the hardship if their Lordships were to pass a law which should grant, under certain circumstances, temporary relief, at the same time giving to the landlord the power of denying that relief unless the holdings of land possessed by the poor tenants were surrendered, and thus conferring a power on the landlord that would facilitate the removal of paupers from his estate, and enable him to send them into the towns, there to live upon private charity, until they afterwards became a permanent burden on the inhabitants? Would that be a just law? His noble Friend behind him who, as chairman of a board of guardians in the county of Sussex, was aware of the practical working of the existing law, had pointed out most truly, that even in England the working of the system by which complete power was given to one or two proprietors over a whole parish, was frequently attended with very great injustice. In Ireland, under the system they were about to propose, and with the facilities they were about to create by the clause for the removing of the small holders from their land—under that system, his firm persuasion was, that they would inflict most grievous injustice if their Lordships rejected this clause. But, his noble Friend thought that if this clause were right to be adopted, still the amount of the rate at which it was fixed that the clause should come into operation was much too low. His noble Friend said that a half-crown rate was a much lower rate than he expected to see levied in any electoral town division. He confessed, that if that were his (Earl Grey's) anticipation, his views as to the future prosperity of Ireland would be much more gloomy than they now were; but he could not understand the grounds for that anticipation. Their Lordships knew, that up to the time of the great failure of the potato crop—and he must say, that that was a fatality which ought not to be looked upon as of continual recurrence; but, even if it did occur again, it ought never to be attended with the same fatal consequences as it had now been, because he trusted that the inhabitants of Ireland would never trust to the potato crop again for their means of subsistence—but until that calamity befell the country, the average amount of rating was somewhere about 7*d.* in the pound; and there was this further fact to be observed, that there was no one union workhouse in Ireland which up to that time was full—on the contrary, they were nearly all empty. It appeared to him that there was one fundamental fallacy running through the whole argument on the other side. It was assumed, throughout, that Ireland, of all countries in the world, was one in which the labourer, in point of fact, was to be maintained by charity—that labour was to be employed, not for the sake of the returns which were to be obtained, but as a sort of duty on the part of the employer, and to be received as an act of charity by the employed. Now, no country could be in a healthy state where such was the case; and he held that the maintenance of the great body of the population of Ireland could not be permanently derived from employment so offered. If, however, employment was given by those who expected a profitable return for the labour thus afforded, they might depend upon it that, under the operation of various laws, if they did their duty to Ireland, and interfered not with the natural circulation of labour—that country, possessing such great natural facilities for the profitable application of industry and capital, would find the means to employ, by degrees, its entire population in profitable labour. He should like to know to what length the

principle of the noble Lord (Lord Stanley), as to the subdivision of districts, might not be carried. Would his noble Friend carry it from the townlands down to individual property? Was it meant to make every man responsible for the employment of the people on his own estate? If they carried the principle to its utmost, then the labour was to be given, not because it was valuable to the employer, but as an act of duty—it was as an act of charity, that an individual proprietor was to be required to employ the labourers on his estate. [*Cheers from the Opposition.*] Noble Lords on the opposite side cheered that, as if it was a principle to which they assented; but what would be the consequence of such a principle being carried out? Why, they would bring back that state of things that existed in the southern division of this kingdom in 1833, and which it was the object of the Act of 1834 to put an end to. Noble Lords must remember that the great evil then was, that every small district felt itself responsible for the poor of its own individual neighbourhood alone, and that the circulation of labour was thereby interfered with. This and other evils flowed from that state of things; and they would all arise again if they were to adopt the views put forth by his noble Friend. He was aware that on the other side there was a danger not less great. On the one hand, there was the principle of a labour rate with all the evils formerly experienced as springing from such a system; and, on the other, there was the great evil of a national rate. There was an extreme on both sides, and against that extreme it was that they called upon their Lordships to beware. He believed that the law, as it now stood, was a fair compromise between conflicting difficulties and interests, and that it furnished that motive to individuals to exert themselves to improve the condition of their own district that it was so desirable should not be wanting. But, by preventing, in extreme cases, this from being carried further—by providing that when the rate rose to a very heavy amount, the whole burden should be thrown on one particular electoral division—it seemed to him that they obviated the danger of falling into the opposite extreme. They could not adopt either principle exclusively; they must take a mean somewhere between those on both sides; and he was persuaded that if they looked at it in that light, and if they considered what was due to the towns, and in particular small country towns, in Ireland, they would come to the conclusion that they could not have a fairer or more just compromise than this Bill afforded. In conclusion, he hoped their Lordships would give their assent to this clause; but he would certainly prefer its total rejection to the adoption of the proposal made by the noble Earl (the Earl of Wicklow) behind him.

Lord BROUGHAM, instead of coming to the arguments applicable to the clause now before the House, felt it necessary to lay himself under great self-command, in order that he might refer in a sentence or two to certain general observations which had fallen from the noble Earl. Before he proceeded to the arguments applicable to the 11th Clause—if, indeed, more argument was needed, after that employed by his noble Friend (Lord Stanley)—argument as clear in its texture and reasoning as it was impressive in its diction and delivery—he could assure their Lordships that to refrain from doing so required, on his part, a great exercise of self-command. But he felt compelled to take notice of one or two observations which had just been addressed to their Lordships. It appeared that they had all along been under the wrong impression that the Irish labourer was supported by his own industrious exertions, when he was a man supported alone by charity. It was not those who were hostile to the Bill who made this assumption—it was no assumption they had or ever could make—it was no reasoning of theirs; but it was an assumption set forth in the Bill which now lay on their Lordships' Table—a Bill which, by the blessing of God, and with much patience and perseverance, had now arrived at one-third of its progress through the House—viz., at its 11th Clause. This measure assumed that charity was to be the rule of their proceedings—by no means that charity which "is not strained," which "droppeth as the gentle dew from heaven," which "is twice blessed, blessing those who give, and those who take" it—but a strained charity; a compulsory charity; a charity that cursed those who received it, and oppressed those who gave it, degrading these, impoverishing those. It was a charity which taught the labourer not to rely upon himself, but on a forced rate to make up the shortcomings of his labour, and to depend upon doles extorted compulsorily from others on whom he had no claim. They had been told, too, that a great evil was inflicted on the people of

the towns for the advantage of the people in the country—not on the great towns, but on the small; and this reminded him of what was the original principle of the old Poor Law, of the 43rd of Elizabeth; a law no sooner enacted than it sank into oblivion, and remained a dead letter for ages. It had been said, that the original principle of the old Poor Law of Elizabeth was, that the land should maintain the poor, and that all other property should be exempted—that the landowners should maintain the paupers, whether they grew those paupers themselves, or whether they were grown by the manufacturers. The paupers, no doubt, as the law had been abused and perverted, were sent from the crowded and wealthy city with as much certainty as were bales of manufactured goods; and they were all to be supported by the land; in short, the land had to provide for all the paupers whom the wealthy manufacturers set forth as locusts on the soil. So it was now; but that was not the Poor Law of Elizabeth, which laid down the principle that all property should contribute equally towards the support of the poor. With all its imperfections and evil tendencies, and mischievous consequences, it was at least exempt from any such charge of flagrant injustice as the proposed clause in this Bill, brought forward in the middle of the nineteenth century, would inflict. There was less injustice in the Act passed in a comparatively rude time, at the end of the sixteenth century, for that Act did no injustice towards the land to favour the towns. It was an income-tax, it was a property-tax, it called upon all property to be rateable for the support of the poor; but, because there was no machinery, and because there was, in fact, very little property but land in those days, therefore it was that it ceased to be universally levied, and that it was levied, substantially, on the landowners. He was told, that whatever injustice there might be here, existed in the present Poor Law; but that did not make the injustice the less. If, formerly, they exposed the Irish landowners to great injustice by the Act of 1838, it would be a great deal worse now, because, if there was a burden of 2*s.* 6*d.* in the pound then, it was likely to be 20*s.* or 25*s.* now. The argument of the noble Earl (Earl Grey) was, that this clause was not unjust and oppressive, because there was a clause as bad in the Act of 1838. What! Was it nothing that you were now to apply the bad principle on a tenfold larger scale? A knave borrows my cloak in summer, and in winter he comes and takes my coat also. I complain, and he says, "Why, you let me take your cloak in fine weather, so I must also be suffered to strip you bare in the frost and snow." Besides, they had different circumstances to deal with in Ireland; they had a different population, and in the guardians they had very different persons to whom to entrust the administration of a Poor Law. And then, above all, they had different men for landlords. With all their good feeling and their simplicity of character, if he were to say of these landlords that they were peculiarly provident individuals—that they were, of all God's creatures, distinguished by prudence, circumspection, and forethought; well able, in all respects, to administer their own affairs, manage their own fortunes, and superintend the cultivation of their own estates—he feared, great as would be his delight could he conscientiously so depict them, that he would be laying himself open to the suspicion of attempting either irony or extravagant panegyric. He would, therefore, confine himself to the strict fact; he would not say that providence and care, and caution and good management, were the prominent characteristics of Irish landlords; he would admit that very many of them were improvident, incautious, and bad managers; and, granting this, it was apparent that it would be easy for them to impose a disproportionate burden on the electoral district where there was good management, in order to make up for their own bad management, or rather no management at all. It was said, did not taxation fall unequally in England? and he answered, Yes, and everywhere else, when you speak of general taxation. But do you, therefore, mean to extend the poor-law districts, and comprehend large tracts of country, with the towns in each? If so, you had better at once make the support of the poor a general or imperial concern, and thus remove every kind of restraint upon local improvidence and mismanagement. This is the direct tendency of the present clause. It says to all the landlords and their tenants, "Be as careless, and supine, and thriftless as you please, as you can and you will be helped by the parts of the district which are thrifty and careful." This was the plain argument: it was contained in that one sentence. He would now leave the question to their Lordships, confident that their decision would be con-

demnatory of the injustice which was proposed to be done.

The MARQUESS of CLANRICARDE would not attempt to follow his noble and learned Friend, but would confine himself solely to a consideration of the clause under discussion. It was the argument of noble Lords opposite, and of those who opposed an extension of the area of taxation, that the land should support the labourers located upon it and no more; he denied that that was sound political economy; he deemed it to be the most erroneous reasoning, founded upon the narrowest view of the true duty of a community. It had been remarked by the noble Earl (Earl Grey) that the opponents of the Bill had proceeded upon a mistaken assumption throughout; they seemed to consider the employment of labour by the owner of the land as a charity, as a step taken to preserve the labourer from starvation, and not as a duty undertaken for mutual benefit, and with the hope of conferring reciprocal advantage. So long as noble Lords set out from premises so obviously false, it could not be a matter of surprise that their conclusions were mischievously wrong, and liable to lead to extreme abuse. As regarded the question of labour, it was easy to say, see what hardship you are inflicting on large electoral districts, if in any case you force them to pay for the pauperism of the towns; but was this assertion practically true? They talked of effecting an improvement in those districts, and they would surely not deny that one of the greatest improvements under the circumstances of the country would be a diminution of the number of persons resident there? There was little doubt that when the population of a district became destitute, they would flock into and become dependent on the towns. If the workhouse test was good for anything, it would induce persons driven from their land to keep as long as they could from the parish. If so, they would be able to maintain themselves in and about towns for a time of sufficient duration to qualify themselves, under the provisions of this Bill, to receive relief; and thus the towns would have to support men in their destitution, from whose labour, previously, no benefit had been obtained. But, was it true that the electoral districts derived no benefit from the existence of the towns? Was it or was it not, he would ask noble Lords acquainted with Ireland, a notorious fact that there were districts which would be totally ruined were the poor rates to increase to any great extent, and if the poor were entirely thrown upon them? The towns furnished a market to the district. The towns increased the value of the property of the district; and he would say it would be a gross injustice if the district were not called upon to pay a share of the taxation, if, under a peculiar pressure, and in a time of great need, the rates of the towns should rise to an amount which, as compared with the average rates heretofore in Ireland, would undoubtedly be exceedingly oppressive.

The EARL of DESART considered that the cities enjoyed many advantages as the depositories of the wealth of the country, and that therefore they should be compelled to endure the burdens of their own pauperism. It was a strong fact that the citizens were in the habit of encouraging the settlement of paupers in towns for the sake of the rack-rents obtained from their lodgings.

EARL FITZWILLIAM thought, that whatever they did with other parts of the Bill, this at least was a clause which ought to be postponed. He was quite convinced that the question of the community into which Ireland ought to be divided for the purpose of carrying this Bill into effect, had not yet been sufficiently considered. It seemed to him to be a grievous mistake to take this clause as having reference merely to town and country. It was not a question between town and country, but a question between high-rated, pauperized districts, and districts which were low-rated and not pauperized. The towns and the districts were intimately connected, and they could not advance the interests of one without promoting the interests of the other. The subject was as yet, however, imperfectly understood, and he should therefore vote against the clause.

The MARQUESS of WESTMEATH said, it had been decided last evening that this Bill should pass only as a temporary measure. He believed that division had not been come to for a factious purpose, and he found it necessary to declare that he had given his vote with the greatest sincerity. He had stated then, and he now repeated, he thought it due to the generosity of the House of Commons and liberality of the people of England, that the measure should be fairly tried in Ireland if it passed through Parliament; and he was willing to declare, if Her Majesty's Ministers would assure him they would not attempt to disturb the vote already come to,

that he, for one, would not offer any opposition whatever to any part of the Bill. He was willing to let all the responsibility rest on them, on the understanding that it was a temporary Bill. They, the landlords of Ireland, had a right to demand that it should be temporary only, and they would offer no further opposition to Her Majesty's Ministers if Her Majesty's Ministers would refrain from disturbing the vote of last night. If they refused to give him that assurance, and did attempt to disturb that vote, he should feel himself at liberty to give them all the opposition in his power.

The MARQUESS of LANSDOWNE was willing to relieve the noble Marquess from all the responsibility he felt. He (the Marquess of Lansdowne) could make no such promise as that asked for. He reserved to himself, as their Lordships reserved to themselves, the power to take whatever course he might think proper at any subsequent stage of the Bill.

heir Lordships divided:—Content, 54; Not Content, 73: Majority for the Amendment, 19.

Clauses 13 and 14 were then discussed; and, after some conversation, agreed to.

On Clause 15, which regulates the rating of tithes, being proposed,

The EARL of WICKLOW moved that both this and Clause 16 be omitted from the Bill; he believed they were inserted with the intention of benefiting the clergy; but he understood they would not oppose the omission.

The ARCHBISHOP of DUBLIN had come to the determination not to oppose the Amendment of the noble Earl. The clauses were introduced with a view of benefiting the clergy, and relieving them from a very great grievance; but, in doing so, the effect of the clauses would be to subject them to another. The grievance they at present laboured under was this—they were rated on their gross, instead of their net income. It was to relieve them from this that the clauses (making the tithe composition in future separately rateable, instead of being rated with the hereditaments on which such composition was charged) had been proposed; but, on the whole, the clergy preferred remaining as they were, thinking the evil they at present suffered less than that to which they would be subjected by the operation of the clauses inserted in the Bill. They thought it better—

> "To bear the ills they had,
> Than fly to others that they knew not of."

They were afraid, under the pressure of the times, and the peculiar circumstances of Ireland, they would not have received their incomes when a heavy rate would be demanded of them—that they would have to pay a rate on an income they had not received, and which, in some cases, they would never receive at all. It was the opinion of a majority of the clergy that the evil they now laboured under was less than that which would be created if the clauses were retained in the Bill. He therefore gave his support to the proposal of the noble Earl.

The MARQUESS of LANSDOWNE consented to the Amendment.

Clauses omitted.

On Clause 17 being proposed,

A short discussion took place on the power of recovering rates made and left uncollected.

LORD STANLEY said, when a rate was unpaid, it was not uncommon to make a new one before the arrears were collected. The consequence of this was, that the few who paid were rated twice or three times over, while the greater number escaped. If this were permitted with impunity, it would almost oblige others to take the same course in self-defence. If there was not a power given of recovering the rate from defaulters, the difficulty of collection would be so greatly increased as to cause an universal demoralisation; the honest and solvent would be discouraged, and an example would be set of opposition to a rate to the poor which would render the administration of the law in Ireland absolutely impracticable. This subject deserved the serious attention of the Government.

EARL GREY thought the matter would be better considered separately from the present Bill; he believed the existing law was not so defective in this point as generally supposed.

Clause agreed to, as was Clause 18, which regulates the valuation.

On the question that Clause 19, by which it was proposed to be enacted that the number of *ex-officio* guardians in any union should not exceed the number of elective guardians, should stand part of the Bill,

The MARQUESS of LANSDOWNE proposed some alteration in the clause, but in a tone which rendered it impossible to collect its purport.

The EARL of ST. GERMANS expressed his approval of the proposed Amend-

ment. The idea which prevailed that *ex-officio* guardians would outnumber the elective guardians was illusory. There were not ten unions in Ireland in which the number of *ex-officio* guardians would equal that of the elective guardians.

The EARL of WICKLOW was of opinion that the *ex-officio* guardians would, in the majority of instances, favour what was called the democratic party rather than the landed interest.

The EARL of CLANCARTY was understood to express a wish that no *ex-officio* guardians should be appointed. If the magistrates were deserving of the confidence of the ratepayers, they would be elected by them.

Amendments agreed to; and the clause as amended was ordered to stand part of the Bill.

House resumed.

House adjourned.

HOUSE OF COMMONS,

Friday, May 7, 1847.

MINUTES.] PUBLIC BILLS.—1° Van Diemen's Land Company; British American Land Company; House of Commons Costs Taxation; Metropolitan Buildings.

2° Poor Removal (England and Scotland); Savings' Banks Annuities.

Reported. — County Buildings; Naval Service of Boys; Passengers Act Amendment; Drainage of Lands.

PETITIONS PRESENTED. By Mr. F. Baring and other hon. Members, from several places, for Alteration of the Law of Marriage.—By Sir J. Tyrell, from Stambourne, against the Roman Catholic Relief Bill.—By Mr. Kemble, from Peckham, and Mr. Pattison, from London, for Inquiry respecting the Rajah of Sattara.—By Mr. Marsland, from Stockport, respecting Remuneration to Tax Assessors and Collectors.—By Lord Courtenay, from Owners and Occupiers of Land in the Kingsbridge Union, in favour of the Agricultural Tenant-Right Bill.—By Mr. F. Baring, from Portsmouth, for Regulating the Qualification of Chemists and Druggists.—By Mr. Pattison, from Congleton, against the proposed Plan of Education.—By Captain Berkeley and other hon. Members, from several places, in favour of the Health of Towns Bill.—By Captain Berkeley and other hon. Members, from several places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Mr. Somers, from Guardians of the Sligo Union, in favour of the Railways (Ireland) Bill.—By Sir De L. Evans, from Henry Needham Scrope Shrapnel, of Bradford, for Consideration of his Case.

HAYDOCK LODGE.

MR. W. O. STANLEY begged to ask the Secretary of State for the Home Department if, in conformity with the recommendation of the Commissioners in Lunacy in their last report upon Haydock Lodge, the magistrates of the county of Lancaster, on the renewal of the license this year, had required the proprietor, Mr. Coode, to reside on the premises; and also to provide a competent medical assistant; also to reside in the asylum? The recommendation of the Commissioners was in these terms:—

"At the same, we are strongly of opinion, that in case the justices of Lancashire be disposed, on consulting with the local visitors, to grant the application, which must shortly come before them, for renewing the existing license, they might most properly insist that Mr. Coode, the individual who is most largely interested in the prosperity of the institution, and who, whatever he may be in form, is virtually the principal proprietor, should be associated in the license by name as co-proprietor with his sister, and that his residence upon the premises should be made an indispensable condition of the renewal; and we would, moreover suggest, that care should be taken upon the same occasion to enforce the immediate appointment of a competent medical assistant, to be also resident on the spot, and relieve the present medical officer from a portion of his duties."

SIR G. GREY said, a correspondence had taken place between the Commissioners of Lunacy and the visiting justices in Lancashire on this subject; and the license was granted for a short period, in order that it might be decided what course should ultimately be adopted. At the end of four months that license was renewed; but Mr. Coode's residence was not insisted on, the license being granted in the name of Mr. Jenkins, who resided in the establishment. With respect to the second part of the question, he could answer it in the affirmative. Mr. Green, a gentleman perfectly competent, had been appointed.

IMMIGRATION OF PAUPERS FROM IRELAND.

SIR B. HALL wished to ask a question of the Home Secretary on the subject of the vast influx of Irish paupers into Liverpool, which had been represented in a petition to that House from the select vestry of Liverpool, from which petition he would read the statement of facts:—

"That, by official returns, the number who have come into the port from Ireland since the 1st of January is 150,750; that of these only 48,186 have emigrated, leaving 102,564 who are either wandering about the town of Liverpool and the neighbouring villages, or spreading, as mendicants, throughout the whole kingdom. That, in addition to these numbers, officially returned, your petitioners believe that 27,218 have arrived since the 1st of December, to which must be added the multitudes who have come into Glasgow and the seaports of Wales. That 250 persons have recently been sent over to Liverpool by the mayor of Wexford, the cost of whose passage was defrayed by a public subscription raised by the inhabitants of Wexford, and 130 of whom immediately became chargeable, and demanded and received parochial relief; and that your petitioners are informed by authority, that such proceeding on the part of the mayor and inhabitants of Wexford was not contrary to any known law, and

that the only redress your petitioners have is one which they would be reluctant to have recourse to—the removal of these poor persons under the provisions of the Act 8 and 9 Victoria, c. 117, which Act, moreover, from its complicated and expensive process, is found ineffective, and the local magistrates have not deemed it expedient to attempt to put it in force. That the number of immigrants has increased, is increasing, and, so far from diminishing, will, as your petitioners confidently believe, and as they were warned would be the case, increase more rapidly as the weather improves, and the facilities of travelling become greater, more especially as it appears that the wealthy inhabitants of Ireland may subscribe to send destitute persons over to England for relief without committing a breach of any law. That this immigration is a great and heavy burden upon the ratepayers of the parish of Liverpool, but that the pecuniary burden is comparatively trifling, and the least of the evils of which they have to complain. That some of the immigrants come over in a state of actual infectious disease, and a large number of them so predisposed to it that they fall sick shortly after their arrival, and so spread and propagate disease and death among an otherwise healthy population. That the consequences are most disastrous and alarming to the people—dysentery, diarrhœa, smallpox, and typhus abound. Three of the relieving officers have already died of typhus fever, and two now lie dangerously ill; one of the medical officers is dead, and another is ill; one of the nurses of the Lying-in-Hospital is dead; and another ill. 654 paupers have been buried in the workhouse cemetery within the last month, the average number of interments during the last twelve years being only 1,367 annually, so that in one month the interments have nearly equalled half the number they usually amount to in one whole year. That your petitioners deplore the miseries of the Irish poor, and are ready and anxious, by every means in their power, to relieve those miseries, and are of opinion that the inhabitants of Liverpool have exhibited a noble and generous sympathy in behalf of their suffering fellow-subjects But while they are most anxious to extend justice and charity to Ireland, they conceive that they are entitled to demand justice and charity for the parishioners of Liverpool, whom they represent; and for themselves, and with every the most sincere wish that the distressed pauper Irish should be relieved, humbly and earnestly petition that they may be relieved at home, and prevented from spreading sickness and death, and the moral contagion of degrading mendicancy amongst the towns and villages of England."

He wished to ask whether it were the intention of the Government to take any steps to relieve the pressure on the rates at the various ports in England and Wales, and whether they intended to introduce a law of settlement for Ireland?

SIR G. GREY said, that statements precisely similar in substance to those contained in the petition of the hon. Baronet had referred to had been from time to time addressed to him by the municipal or parochial authorities at Liverpool, and by deputations who had represented the number of immigrants from Ireland, and the consequent progress of disease. The last deputation he saw two days ago, and they stated to him that, since the 15th of January, when an accurate account was first kept, the number of Irish paupers that had arrived in Liverpool was no less than 180,000; of these 40,000 or 50,000 had emigrated; a large number had passed to other parts of the country, but that still from 60,000 to 80,000 remained, in addition to the ordinary population of Liverpool. A statement was also made, that cases had occurred of steamboats having brought paupers over from Ireland in a state of fever, whom they landed at Liverpool. In consequence of these statements, instructions had been addressed to the custom-house authorities at Liverpool, directing that two ships lying in the Mersey, which were employed during quarantine (though fortunately they were very seldom required) as lazarettoes, be used as hospital-ships, so as to prevent the spread of infection. A custom-house officer would board every steamer or vessel with deck passengers, and if he found any of them suffering from disease, he would hoist the yellow flag. She would then be inspected by a medical officer, and those passengers having fever would be taken to the hospital-ship, and kept apart, instead of being landed at Liverpool. Notice had also been given to the owners of those vessels which brought over fever passengers, that if the practice were persisted in, it would be necessary to place the vessel under quarantine for a limited period. He had received a letter from the Mayor of Liverpool, acknowledging the receipt of these directions, and stating that he anticipated the most beneficial results from them. The greatest satisfaction had been given also to the inhabitants of Liverpool by the adoption of these precautions, which he believed to be indispensably necessary. With regard to other places, the same representations had not been made to him as from Liverpool. In reply to the application for pecuniary relief, he was not able to hold out any hope that the Government would be able to bear any portion of the burden thus imposed upon the ratepayers of Liverpool. An offer had been made, however, of tents, if places could be found outside the town where they could be fixed, and in which the immigrants would have a better chance of escaping disease. A building at Cardiff had also been applied as an hospital for the sick. Three weeks

ago he had received a notice from Liverpool, that from 250 to 300 Irish passengers who were rescued from an emigrant ship and taken to Wexford were forwarded to Liverpool by a public subscription on the part of the inhabitants of Wexford, the Mayor of Wexford "recommending these parties to the justice and mercy of the inhabitants of Liverpool." An inquiry had been addressed to him (Sir G. Grey) to know whether the inhabitants of Liverpool had a legal remedy against the authorities of Wexford. He replied that the proceeding was not against any law that he knew of; and that the only remedy was the law to facilitate the removal of such destitute persons back to Ireland. It was not the intention of the Government to propose any alteration in the law of settlement in Ireland.

Sir H. W. BARRON wished to know whether the right hon. Baronet intended to propose any law providing that the 6,000,000*l.* annually spent in this country by Irish noblemen, Members of Parliament, and other persons connected with Ireland, should be spent in that country?

CAPTAIN ROBB.

Mr. H. BERKELEY wished to know whether the Government had received any complaints that Captain Robb, the senior officer in command of the English squadron at Oporto, had espoused with too much of partisanship the cause of the rebel junta there?

Captain BERKELEY said, that no complains against Captain Robb had been received from Sir W. Parker, the admiral on the station, whose attention would have been called to any matter deserving of reprehension. It was, therefore, to be presumed that no just ground of complaint existed against Captain Robb.

EXPORTATION OF CORN.

Captain HARRIS wished to ask the noble Lord at the head of the Government whether it were his intention to propose any measure to put a stop to the exportation of wheat now going on, 134,000 quarters having been exported during the last month, and large exportations were still going on. The price of wheat was rising very rapidly, and he understood a further rise of several shillings had taken place on that day.

Lord J. RUSSELL: I beg to inform the hon. Member that it is not the intention of Her Majesty's Government to propose any restrictions upon the exportation of wheat.

SOLDIERS' PENSIONS.

Major LAYARD wished to inquire of the hon. Gentleman the Secretary at War whether it were the intention of the Government to increase the pension of the private soldier?

Mr. F. MAULE said, it had been stated by his noble Friend in another place that it was the intention of Her Majesty's Government to revise the warrant regulating the amount of pensions, and to increase the minimum pension to the sum of 8*d.* a day. In addition to this the soldier would also carry with him as pension the good-conduct pay which he had earned during his 21 years' service.

THE MONETARY PRESSURE.

The CHANCELLOR of the EXCHEQUER said: I am about to take a course irregular in point of form, but necessary, in order to enable me to take, on Monday next, a step which I think it most desirable should be taken in the present state of the monetary concerns of this country; and I hope the feverish anxiety that prevails, not only in the metropolis, but in the country generally, will justify me in occupying, for a short time, the attention of the House, to state as precisely as I can what are the intentions of Her Majesty's Government. I need hardly state to the House that this subject has occupied the anxious consideration of the Government. My noble Friend and myself more especially have received from day to day numerous deputations and representations from various parts; we have been in constant, I may say hourly communication, with those parties whom we believe most able to afford accurate information and the best advice on the state of the money market, and the steps it might be necessary to take in consequence. The complaints and representations which have been made to us may be classed in two great divisions. Parties coming up from the country have urged that various steps should be taken, either directly by the Government, or by the Bank of England, guaranteed by the Government, all of which, when sifted, amounted either to a repeal or a suspension of the present law by which the currency of the country is regulated. Now, Sir, I do not wish at the present moment to raise any discussion on that point—there will be another occasion when that question may

fairly be raised, if hon. Gentlemen choose. All that I think it necessary for me to say on the present occasion is, that this is a course which Her Majesty's Government are not prepared to adopt. Now, Sir, having made this declaration, I think it is only right I should state, that consistently with the maintenance of that law, we consider it most desirable that every facility should be given which can be legitimately and legally given to the public, and with that view that no demand on the part of the Government should be made which should possibly interfere with the accommodation to be given on good private securities to the extent the Bank may think itself justified in giving. It is just a week since I stated that I believed at that time the necessity for the stringent measures adopted by the Bank had ceased. I certainly was misunderstood when I was represented to have stated that the danger was over, for most undoubtedly I never used any expression that could bear that interpretation. I said, not as a matter of opinion, but of fact, that the necessity for stringent measures had ceased. In point of fact, on the two previous days the Bank had relaxed the stringency of its course; and it has, from that time forward, been enabled from its improved condition to continue giving facilities to the country within reasonable and moderate bounds. The last return shows a very much improved condition. Since last Saturday the Bank has received 400,000*l.* in gold and silver bullion, and the circulation of the country has been increased, nearly that amount of notes having been issued in exchange for gold and silver. Of course, I cannot interfere with the discretion which the Bank may think proper to exercise; but, so far as Government securities are concerned, it is desirable to place them in a proper condition, that they may be as available as they usually are for the purposes of those who hold them, and also to put the Exchequer in such a condition as to enable us to the utmost of our power to dispense with that extent of aid and assistance which, on all former occasions of quarter day, with a single exception, has been afforded to the Government by the Bank. Certainly, it does appear that the description of Government securities which at the present moment labour under the greatest depression are Exchequer-bills; and considerable anxiety exists as to the course Government will take as to that description of securities. I think it therefore desirable, although the usual time for making any announcement on the subject has not arrived, with a view to calm the anxiety which prevails, I think it right to state to-night, that I shall, on the proper day, the 18th of May, give the usual notice for the exchange of Exchequer-bills, subject to the usual conditions. I think it, however, indispensable to raise the interest on Exchequer-bills, now far below the current rate given on other securities with which they compete; and, from the day in June on which the exchange takes place, the interest on all Exchequer-bills—whether exchangeable then or in March—will be at the rate of 3*d.* per diem. It is well known that it has been usual for the holders of Exchequer-bills to borrow money on depositing their bills; but considerable difficulty prevailed as to this mode of raising money during the late pressure. I am happy, however, to state that the Bank has, within the last few days, found itself in a condition to make advances of money on Exchequer-bills. It was made known to the brokers that the Bank was prepared to do so, and it has had no difficulty in complying with the whole demand made upon it to-day to the extent of 170,000*l.* The Bank is prepared to make these advances, not for any lengthened period, for that probably might let loose the rein indiscreetly; but it has advanced money on Exchequer-bills for short periods, and that accommodation to the public the Bank is in a condition to continue. With regard to the Exchequer, it certainly is exceedingly desirable that it should not be under the necessity of calling on the Bank to make large advances, unless indispensably necessary, which I hope it will not be, for the next quarter. That must, however, depend on the moneys paid into the Exchequer. Although the payments into the Exchequer have, during the last fortnight, partaken of the general monetary depression, I am happy to say that my right hon. Friend the Chairman of the Board of Customs informs me that for the last few days the payments have resumed their usual course. From other sources I learn that money matters in the city of London are much easier, and that the extremity of the pressure has passed off. The mode in which I propose to put the Exchequer in funds is by offering an inducement to those who have contributed to the loan to pay up their instalments. I have reason to believe that, in all probability, many of those who are contributors to the loan will be

disposed, on the allowance of discount, to pay up the whole or a portion of the instalments between this and the 20th day of July. What I propose, therefore, to do is, on Monday next to move that the House do resolve into a Committee, when I shall submit a resolution to authorize, by Act of Parliament, an advance of interest, by way of discount for prompt payments on the loan. Any person who shall pay up previously to Friday, the 18th of June, any portion of the instalments due subsequently to the day of payment shall receive discount at a given rate, calculated from the day on which the payment is made, up to the day on which the instalment is due—that is to say, if anybody pays up early in May the June instalments, he will receive a months' interest; if he pays the July instalment on the same day, he will receive two months' interest; if the August instalment, three months' interest; and so on. I have reason to hope that a considerable sum of money will be paid up in this way. Of course, on the amount so paid will depend the condition of the Exchequer; but, from what I hear, I have great hopes that the balances in the Exchequer will enable us next quarter to dispense with the usual assistance from the Bank. The right hon. Gentleman concluded by giving formal notice of the course, as stated above, to be taken on Monday next.

PUNISHMENT OF VAGRANTS (IRELAND) BILL.

Order of the Day for Committee on Punishment of Vagrants, &c., (Ireland) Bill read. On the question that the Speaker do now leave the chair,

MR. P. SCROPE said, he wished to ask the noble Lord whether he was prepared to assure the House that he would do all in his power to guarantee the passing of a measure which would insure relief to the poor of Ireland in the extremity of destitution? He believed, that if the Irish Poor Law Bill were to be cut down so as to be merely a temporary measure, to continue in operation for one, two, or three years, it would be perfectly worthless. He was convinced, that if the Bill was to be merely of a temporary character, neither the poor on the one hand, nor the rich on the other, would exert themselves as they would do if it were a permanent measure. In his opinion, the time had come when it was necessary that this principle should be adopted permanently—that the poor should be supported in the districts in which they lived, and in which their labour had been employed; and he believed the people of England were determined that this principle should be applied to Ireland. The people of this country were obliged to maintain their own poor; and they considered that it was not justifiable that a state of things should be continued, which would enable the owners of property in Ireland to refuse to discharge their duties towards their own poor, and, directly or indirectly, by the force of starvation, or the refusal of relief, to send them in hordes to this country, either to obtain that relief which they so much needed, or to come into competition with our own industrious population. He believed the English people and the Government were alike determined that this principle should be enforced—that the property of Ireland should maintain the poor of Ireland. He wished, therefore, to ask the noble Lord, whether he meant to press this Bill to-night? And if that was the noble Lord's intention, whether he could assure the House that he would take every measure in the power of the Government to secure the application of some permanent system of relief to Ireland, which should require the property of that country to maintain the poor?

LORD J. RUSSELL: My hon. Friend requires some explanation of my opinion with regard to this Bill. In answer to his question, I beg to remind him, in the first place, that I have always declared that, as the former Poor Law Act only applied to a certain portion of the destitute, and there were numbers who were not relieved under that Act; it was not just to deprive those who were not relieved, of the privilege of begging, and of getting what assistance they could obtain. I am still of the same opinion; and therefore I certainly should not attempt to ask the House to consent to the passing of this Bill, unless I believed there was a general Bill about to have the force of law which would give to all the destitute — to all persons in danger of starving, the means of obtaining their support from rates to be levied by law. I will say further, that if the Poor Law which is to give such relief is to be limited in duration, I think this Bill, which is of a penal character, should be limited in the same way. But, while I say this, I do not think the limitation of the duration of the Poor Law Bill would be a good reason for declining to enter into the details of this measure. It is quite obvious, that if the two Houses of Parliament were to show so

much jealousy of each other, that the one were to say, "We will not pass the Vagrancy Bill unless a Poor Law Bill, satisfactory to us, has passed the other House," and the other branch of the Legislature were to say, "We will not consider the Poor Law Bill unless a Vagrancy Bill accompanies it," there would be great danger that, between the two, no progress in legislation would be made. I am therefore disposed to go into Committee on this Bill. Before it has finally passed this House, we shall probably be aware in what state the measure recently sent to the other House will be returned to us. At present, my hon. Friend does not seem to be aware whether the alterations made in that Bill, limiting its duration, apply to the whole Bill or only to certain clauses; and if so, to what clauses. I think, therefore, we cannot take into consideration what is passing in Committee in the other House of Parliament; and I hope that this House will go into Committee on this Bill, and consider its details, as if the measure which has been referred to, and which has passed through this House, were to be agreed to by the other House of Parliament. In the future stages of this measure we may think fit to limit its duration; or, if the measure to which I have alluded should not pass, we can refuse our consent to the passing of this Bill. I must say, with regard to the necessity of the Poor Law for Ireland, I am more and more convinced, both by the accounts I hear from day to day, and by the statements of persons for whose opinions I entertain great respect, that the Bill we have passed through this House is absolutely necessary for Ireland. I heard only this day (I will not mention names, for it may be one of those exaggerated representations we sometimes hear, though it seems to me to be a well-authenticated case) of a poor family, the head of which had been one of the 40*s.* freeholders formerly used as the serfs and slaves of great political landlords in Ireland, but who had now become useless, having accepted a small sum to quit their wretched holding, and being then left to starve. The persons employed in the constabulary found the woman and children dead; and they ascertained that relief had been refused by those upon whose land they had lived for so many years, and to whom the political service of the father had been useful. ["Name!"] I certainly shall not name; but I really think no one can be blind to the circumstances which are passing around us. I see a complaint in the newspapers, in reference to the statement made by my right hon. Friend, that in consequence of the relief works having been stopped in a certain district of Ireland, within a few days, a great number of persons have perished. Why, Sir, it does appear to me, that though persons possessing property in Ireland may be unable to sustain the destitute during a whole year, yet that during the interval between the cessation of the public works and the bringing into operation of an Act recently passed, the persons of property residing in the neighbourhoods in which there are numbers of destitute persons, and not the Government, are bound to maintain these poor people. I may say further, that two persons who formerly expressed very strong opinions against out-door relief in Ireland, and to whose opinions great value is attached—Mr. Nicholls, one of the present Poor Law Commissioners, and Mr. Gulson, an assistant poor-law commissioner—have expressed in writing their conviction that, in the present state of things in Ireland, out-door relief to the able-bodied is absolutely necessary. These statements confirm my own opinion with regard to the necessity of affording such relief.

MR. S. CRAWFORD considered that the House ought not to proceed with the Bill now before them until they knew what was to be the fate of the Bill to which the noble Lord had alluded in another place.

MR. F. FRENCH did not think any alteration in the Irish Poor Relief Bill which merely had the effect of rendering the measure temporary could be a matter of any great consequence, when it was considered that the object of that Bill was to prevent the people from starving.

MR. SHAW said, it was not very regular to discuss in that House the different stages of a measure that was in progress in the other House of Parliament; he would therefore, only say on that point, that he had from the first maintained that the legislation to meet the present calamitous emergency in Ireland should be of a temporary rather than of a permanent character. As regarded the Vagrancy Act, the noble Lord (Lord J. Russell) might recollect that, when the vagrancy clauses were introduced originally in the Irish Poor Law Bill in 1838, he (Mr. Shaw) objected to their passing, because the Poor Law Bill conferred no right to relief; and, of course, he should be of the same opinion now, if the right to relief was not provided by the

other Bill; at the same time, he agreed with the noble Lord that it would be the more correct and dignified course for the House to proceed through Committee with that Bill, without reference to what was passing in another place. He had risen principally to express his regret that the noble Lord had thought it right to allude to the case he had mentioned of apparent neglect of duty on the part of an Irish landlord, without furnishing the name or any particulars, which might lead to an explanation. If the information the noble Lord had received was correct, he should deprecate such conduct as much as the noble Lord could; but experience had taught him to be very cautious in crediting such statements, until an opportunity of denial or explanation was afforded to the party accused; and his great objection to a charge of that kind being made without name or circumstance, and particularly under the high authority of the noble Lord, was, that it would be applied generally to a class which had already been indiscriminately and cruelly maligned—he meant the Irish landlords. He would repeat what he had over and over again said in that House, that, as a body, they were doing all that men could do to discharge their duty, under difficulties of overwhelming magnitude. They were, as compared to English landlords, few, and scattered, and poor—the very distress which increased the demands upon them rendering them the less able to meet the demands. Under the present Temporary Relief Act, they were,in some electoral districts in Ireland, 40,000 persons claiming out-door relief, and in others a rate of 10*s.* in the pound voted for three months only. Let him, then, ask those who heaped charge upon charge on the Irish landlords, what men, circumstanced as they were, could do effectually to meet such a case as that?

Sir H. W. BARRON thought the House would agree with him that it was most unwise, ungenerous, and unjust, to make accusations, without notice, against persons who were absent; and, above all, he thought it was most unjust to make an anonymous accusation of neglect of duty against a body in Ireland who, under the most adverse circumstances, were struggling to do all in their power to relieve the poverty and alleviate the distress of those by whom they were surrounded. This was done, too, at a time when many of the members of that body were not receiving one-tenth of the rents due to them by law. The fact was, that many of the landlords of Ireland were borrowing money at this very moment to enable them to afford employment to the poor, and to aid subscriptions for relieving the destitute. He was acquainted with some gentlemen in his own district who, at great inconvenience and expense, had taken this course. With respect to the question put by the hon. Member for Stroud to the noble Lord at the head of the Government, he believed that question to be very irregular; and he thought it was inconvenient to discuss in that House what was proceeding in the other, or to hold out anything like intimidation to any other body. He denied that the recent vote in the other House, which had been alluded to, was a complete upsetting of and a refusal of relief to the Irish poor. Had any hon. Member except the hon. Member for Stroud ever described the Irish Poor Relief Bill as anything but a great experiment, and a measure of uncertainty? It was, therefore, in accordance with common sense to make such a measure temporary, in order that they might have an opportunity of seeing how it worked.

Mr. ROSS was afraid that the result of making the Irish Poor Relief Bill temporary would be, that a general combination would be entered into by those who disliked it, with the view of preventing the Bill from working well; and then the opponents of the measure would contend, in this case, that such a measure was not capable of producing good effects in Ireland. He, for one, deeply lamented what had passed elsewhere, converting into a temporary measure that which was originally intended to be permanent; for he feared that at a future period they would have all the work to do over again, and, in the mean time, Ireland would be placed in very unhappy and disastrous circumstances.

Mr. ESCOTT said, that the noble Lord at the head of the Government had that night made an important statement, to the effect that he would abide by his former speech, taking care that in the Bill introduced by the Government substantial means should be provided for the relief of the poor in Ireland, and for the purpose of preventing them being a charge on the people of this country. In addition to the Irish Vagrancy Bill, which they were now about to discuss, he was afraid that the noble Lord at the head of the Government would also have to introduce a Lunacy Bill, in order to repress the wild ardour of those who, in

their opposition to the Irish Poor Relief Bill, seemed to be setting all common sense at defiance.

House in Committee.

On Clause 2, providing that a person shall be liable to imprisonment and hard labour

—"who shall desert or leave his wife, or any child whom he may be liable to maintain, so that such wife or child shall become destitute and be relieved in or out of the workhouse,"

MR. P. SCROPE moved a proviso to limit this clause, by requiring that it should be first proved to the committing justice that such person had the power of earning a maintenance at home, or had been offered a maintenance in the union. If a man went to a distance in search of work, his family must go into the workhouse until he either returned or sent money to them, begging being now prohibited; but the man ought not to be punished for thus doing what he was really obliged to do.

MR. ESCOTT thought it would be advisable for the Government to make inquiry into the provisions of the laws already on the Statute-book, so that they might be repealed, and the law of vagrancy made uniform. He had been told that there were laws already in existence which imposed transportation for seven years for the offence of vagrancy; and he had been informed also, that that most offensive law had in certain instances been put in force.

MR. SHAW said, it was true that there was such an Act; but it was almost obsolete for any purpose, and had never been put in force or held applicable against a mere ordinary beggar.

MR. S. CRAWFORD said, it was true that the Act in question did not apply to beggars; but he had known it to be applied to prostitutes. He thought the Act ought to be repealed.

SIR G. GREY stated, that the object of the clause was to guard, amongst other things, against the wife entering into collusion with the husband, by which she and her children might become burdensome while the husband was in a position to support them.

MR. P. SCROPE was willing to leave his suggestion to the consideration of Her Majesty's Government.

Clause agreed to.

On Clause 3, imposing imprisonment for begging,

MR. M. O'FERRALL thought that this clause would be found exceedingly difficult, if not dangerous, in operation. In the case of those vagrants who feigned lameness and blindness, he thought the enactment would meet with general approval and support; but the reverse would be the case as regarded those persons who had known better times, and who were obliged to solicit alms from no fault of their own. He thought a discretionary power should be given to the Poor Law Commissioners to put the enactment in force in those districts where out-door relief was granted.

MR. GREGORY did not think that the clause would be put in force in the case of those who from misfortune were obliged to solicit alms from those who sympathized with them. The enactment was levelled at sturdy beggars.

COLONEL RAWDON proposed the addition of words intending to protect those persons who were travelling in search of work, or to a seaport for the purpose of emigrating, and who might avail themselves of the hospitable feelings of their countrymen on the way.

SIR G. GREY said, that the clause was framed on the model of that incorporated in the English Act; and under that Act no instance had ever been known where persons travelling, for instance, to the hay harvest, had been put in prison on their arrival in England. He really thought the gallant Colonel entertained a harsher opinion of Irish magistrates than their conduct justified. With regard to the suggestion of the hon. Member for Kildare, the effect of it would be to induce vagrants to flock into the districts which adjoined the one in which the enactment was in force.

MR. M. O'FERRALL thought the difficulty would be got over by making the clause operative within a certain distance of the districts where out-door relief was granted.

MR. SHAW thought, that if they were to pass the law at all, they must declare the act of begging to be an offence; but he did not share the apprehensions of the hon. Gentleman (Mr. M. O'Ferrall) that there would be any attempt to enforce its operation with extreme rigour. It could never be intended to make charity a crime, or to prevent any extent of kindness by the poor to their friends and neighbours. You could not legislate for each particular case. A discretion must be vested somewhere; and he did not fear that the magistrates in Ireland would exercise it otherwise than humanely.

LORD J. RUSSELL observed, that he could not justly be accused of undervaluing the importance of this clause, for he considered it essential to the Bill. It was said that first the habits of the whole people must be changed. His object, he confessed, was to change the habits of the whole people. He wished to transform habits which were injurious to the country into others which would prove beneficial. Those habits were not peculiar to Ireland, but had grown up in every country where no Poor Law existed, and the destitute poor depended on charity. In all such countries there was an active disposition to offer alms and hospitality from day to day, and two classes of people had arisen; the first consisting of impostors, who by every kind of contrivance, by feigned distress, by feigned deformity, by feigned misfortune of some description or other, practised on the credulity of others, and were relieved under a system of indiscriminate charity. The other class consisted of sturdy beggars, who did not ask but who demanded assistance, and whom the habit of the country in some degree encouraged, but who formed a class closely connected with the criminals of the country in many instances. When he had asked whether crime had not been produced by destitution, he had been told that it was not the starving people, but the mendicants of this class, that were the guilty parties. He wished to change those habits, but thought it impossible to change them, if, on the one hand, any persons were punished for seeking alms without, on the other hand, providing relief. It was not for one class only that out-door relief was proposed. It was proposed to offer it in all cases; that was, if an able-bodied person was destitute, and the guardians were bound to relieve him, they could relieve him in the workhouse. If there was no room in the workhouse, they could order him to be relieved out of the workhouse. That applied to a person who required relief. [Mr. SHAW: And to all infirm persons.] If a man sent his children out to beg, they would be relieved under the Bill. Those who enacted that relief should be given in such a manner as to secure destitute persons from starving, had a right to say that impostors and sturdy beggars should be subject to punishment; they were endeavouring to put an end to the practice, and change the habits of the country in that respect. He thought those habits had been changed in this country, for no country was more disturbed by mendicants and sturdy beggars till an end was put to the system which encouraged them by a change in the law. Instead of bestowing indiscriminate charity, the disposition was to give alms only in certain deserving cases; but the people did not feel that, if they abstained from giving alms, a person really destitute would be left to starve. The change was of great importance, and if carried into effect would most materially affect the future destiny of Ireland. But it was a change which required a certain discretion to be exereised in applying the measure. Much would require to be done in the exercise of that discretion, according to the particular state of districts in which the law would have to be put in force; but he advocated the present clause upon the ground that it tended to improve the habits of the people.

MR. M. O'FERRALL was no advocate for vagrancy; all he was anxious for was, that its abolition should be effected gradually, and with caution.

MR. GREGORY entirely concurred with the noble Lord. The effect of giving the discretion as to the punishment of these offences to the Poor Law Commissioners would be to drive the poor away from the districts where the Poor Law Commissioners had jurisdiction.

MR. BELLEW shared the apprehensions expressed by the hon. Member for Kildare (Mr. M. O'Ferrall).

SIR W. JAMES thought, that however desirable it might be to change the habits of the people, there was much in what was said against the clause. In the first place, it was a Roman Catholic country with which the House was dealing, for almsgiving was regarded in a far different light by Roman Catholics than it was by Protestants. The object might be sufficiently gained if power were given to any two justices in petty sessions to commit offenders for one calendar month to the house of correction or gaol.

SIR G. GREY was afraid that that provision would be attended with hardship to the persons convicted, by causing delay.

MR. P. SCROPE said, that, in illustration of the mendicancy in Ireland, he might mention that beggars not unfrequently, when refused meal on the ground that there was none left in the house, offered some for sale at a low rate, and that they not unfrequently left their daughters considerable sums of money. If a man had applied for and been refused relief, it would be very hard that he should then be punished

for begging. He had doubts as to the power of compelling relief under the Poor Law Act, and he was on that account more anxious for some such proviso.

SIR G. GREY said, that a man might apply for relief and be rejected because he was not destitute, and the hon. Member would then prevent him from being convicted under this clause if he were guilty of vagrancy.

MR. CALLAGHAN owned he viewed this clause with considerable apprehension. He thought the state of the poor had not been laid before the Committee in its true light. There was one description of people whom he feared this clause would affect—persons who committed no crime, and who never contemplated the commission of crime. He lived in the neighbourhood of a large town, and he saw every day poor widows and other poor persons who went into the country to seek a few potatoes. He often inquired into the condition of these poor people, and he frequently found them to be mothers with two or three children—these children being educated by the monks, and by this means fitted for a better condition of life. These poor persons were unwilling to go themselves or to send their children to the workhouse. The noble Lord talked of "altering the habits of the people;" but it was impossible by their legislation to change the character of a people, or to extinguish the strong feeling of sympathy the Irish had for the unfortunate, and their charity towards each other. The farmers, so far from feeling almsgiving a burden, delighted in it as the performance of an agreeable duty, and would be anything but thankful for a Bill which made poverty a crime. He agreed that those who made a trade of begging, and exhibited disgusting sores for the purpose of working upon the benevolence of the rich, ought to be prevented from thus practising on the sympathies of their neighbours. But in a country where poverty was so general, and the anxiety to keep out of the workhouse so great, he could not help regarding a law which inflicted a severe penalty on vagrancy as a bill of pains and penalties against poverty. Reference had been made to the existence of the Roman Catholic religion where this law was about to be enforced. That religion furnished another reason why they should touch vagrancy with a lenient hand. It often happened to himself to have seen ladies stop beggars on the road, and having given them money, ask these poor creatures to pray for their souls. [Lord J. RUSSELL: There is nothing in this clause to prevent persons from giving alms if they choose.] Yes; but he greatly feared that persons receiving alms under such circumstances, could be punished as vagrants under this Bill. Almsgiving in Ireland could never be put a stop to, unless they succeeded in punishing the giver as well as the receiver of charity; and he, for one, considered this clause wholly opposed to the general feeling of that country in favour of almsgiving.

VISCOUNT SANDON thought there was considerable weight in the observations of the hon. Member. He could not see that there was sufficient security against the punishment of classes of poor persons not intended to be affected by the Bill; and he should have preferred seeing the Poor Law in operation for a year, without any Vagrancy Bill.

MR. M. O'FERRALL said, it was quite true that Dr. Doyle had always urged that vagrancy was one of the greatest evils ever inflicted on the country; but he made a great distinction between classes of poverty. He denominated those persons vagrants who, from father to son, continued the practice of begging, and went about spreading vice and disease throughout the country. To put down this class of beggars, Dr. Doyle thought no severity could be too great; but he was quite certain that, under the present circumstances of Ireland, Dr. Doyle would have opposed a clause expressed in the general terms in which this was worded. If the clause were made to apply to sturdy beggars alone, it would be such as he was sure the great body of the people would be thankful for; but it would be doing the people a great injustice to confound poverty with vagrancy. What he wanted to see was, a discretionary power given to the Poor Law Commissioners to apply the Act to the circumstances of the different parts of the country.

MR. YOUNG was by no means particularly enamoured of a Vagrancy Act for Ireland; and, certainly, looking to the clause then under discussion, there did seem some ground for saying that it was rather stringent in its provisions. At the same time, however, he did not think that there was much weight in the objection which had been urged, that the justices who were to carry out this Act would take no notice of the circumstances of the country, and would inflict the same severity in the mildest case of begging as in that of

a sturdy beggar. Such a case, he thought, was not very likely to occur, as the magistrates generally, he was sure, would exercise a wise discretion.

SIR G. GREY, in answer to a question from Sir D. Norreys, explained, that the term "resident in any union in Ireland" meant domiciled in any union; and that the object of committing persons who "shall go from such union to some other union in Ireland, for the purpose of obtaining relief in such last-mentioned union," was to prevent persons leaving a union where the workhouse was not full, and going to another where it was full, with the view of obtaining out-door relief.

MR. P. SCROPE moved the following addition to the clause:—

"Provided always, that it shall be proved to the satisfaction of such justice, that such person might have obtained relief in the union in which he resided, or that he could maintain himself and family by a due exertion of industry."

SIR R. FERGUSON objected to this Amendment.

MR. F. FRENCH thought this addition would nullify the clause altogether. He wished to ask the right hon. Gentleman the Secretary of State what would arise in this case—suppose a woman or a man, accompanied by four or five children, were found begging, and brought before a magistrate, and committed to prison, would the children be committed to prison also—for the children were part of the vagrancy? If this were done, however, it would entail a very heavy expense on the country; and, besides, the gaols would not be large enough to hold the vagrants that would be committed under the Act. As the House was aware, the maintenance of prisoners was more expensive than paupers. He begged to suggest whether it might not be advisable to commit such sturdy beggars to a ward of the workhouse, where they would be under the supervision of the guardians instead of sending them to prison.

SIR G. GREY had great objections to converting the workhouses into prisons. With repect to the question about children, he begged to say that they would be disposed of exactly as under the present law; they would not be sent to prison.

MR. P. SCROPE explained that the object of his Amendment was to guard against the possibility of any one being refused relief who really required it, to calm the fears of the poor of Ireland of being placed between the alternative of being punished with one month's imprisonment and hard labour, or of being obliged to go off to England to burden the people there with himself and family. He felt so strongly on the subject that he should press his Amendment to a division.

MR. ESCOTT hoped the hon. Member would not press his Amendment to a division, but would wait and see in what shape the Irish Poor Relief Bill came back from the other House.

MR. P. SCROPE said, that assuming the Poor Relief Bill came back in its present shape, his objection to the clause was equally strong.

Amendment withdrawn.

Clause agreed to.

Other clauses agreed to.

House resumed. Bill reported.

POOR RELIEF SUPERVISION (IRELAND).

Order of the Day for going into Committee on the Poor Relief Supervision (Ireland, No. 2) Bill, read.

SIR R. FERGUSON wished to ask what was the cause why this Bill was different from that proposed for England? There was a considerable difference between the two, and it did not tend to the improvement of the present Bill. One difference was, that the Commission in this Bill was made perpetual, whereas in England it was limited to five years.

LORD J. RUSSELL said, that as to the perpetual duration of the Commission, the Bill had been drawn in conformity with the intention that was first entertained as to England; but as there had been an alteration made as to the latter Bill, the same alteration would be adopted in this, and its duration, therefore, would be limited to five years. Of course, it was impossible to make every provision exactly the same, as there were not the different Cabinet Ministers in Ireland to be appointed to the Commission that there were in England; but the principle of the two measures was the same. The President would be the President of the Board, to which there would be other persons attached, similar to the provisions adopted in the English Bill. There was certainly a great difference in this respect, that the President of the Irish Board would not sit in Parliament: he should have been very glad if they could have had an officer as President of the Board sitting in Parliament; but it was found impossible to effect that object.

House in Committee.

On Clause 1,

MR. P. SCROPE said, he hoped that one of the chief offices in the Commission would not be conferred upon Mr. Twisleton, a gentleman whose conduct in the administration of the former law had given rise to such opprobrious remarks.

MR. LABOUCHERE said, it would be very inconvenient to discuss such a question on the present occasion; but he might say that he considered the public were indebted to Mr. Twisleton for the manner in which he had performed his public duties.

MR. YOUNG was confident that whatever duties were intrusted to Mr. Twisleton they would be most zealously and ably performed.

MR. F. FRENCH said, that the hon. Member for Stroud had stated nothing that could be supposed to reflect on the character of Mr. Twisleton. He himself had never ceased, both in the time of the late as well as the present Government, to attack the manner in which the principal public appointments in Ireland were made. He had repeatedly stated that in twelve departments in Ireland the chief offices were filled by Scotchmen or Englishmen, although there were Irishmen as able and intelligent, and as perfectly cognizant with the circumstances and condition of that country as those who were appointed.

MR. SHAW said, his hon. Friend (Mr. F. French) could not justly complain that the present Government had not appointed Irishmen to the high offices of the Irish Government. He was not personally acquainted with Mr. Twisleton, the resident Poor Law Commissioner in Ireland; but he had always heard the same high character of him that had been given that night by the right hon. Gentleman opposite (Mr. Labouchere) and his hon. Friend near him (Mr. Young). With reference to the evidence of Mr. Twisleton, before the Poor Law Committee of the House of Lords, the hon. Gentleman the Member for Stroud (Mr. P. Scrope) did not fairly represent it —for Mr. Twisleton rested his objection to out-door relief not so much on the injury to property, as on the demoralising effect on the labouring population that it would produce; and if a principle of exclusion were to be attached to that opinion, then it would be but fair to begin with the noble Lord himself (Lord J. Russell), and he believed it would be found applicable to pretty nearly every Member of the noble Lord's Government.

MR. P. SCROPE said, he had no personal feeling whatever in the matter. He had merely wished to call the attention of the Government to what appeared to be the general opinion on the subject.

Remaining clauses agreed to.

House resumed.

POOR REMOVAL (ENGLAND AND SCOTLAND) BILL.

On the Question that the Poor Removal (England and Scotland) Bill be read a Second Time,

SIR D. NORREYS objected to the measure, on the ground that it would prove arbitrary in its operation, and would affect most unfairly the Irish poor.

SIR G. GREY said, that the Bill would not make the slightest difference as to the class who were to be removed. It would subject no one to removal unless he became previously chargeable. It would not have the effect of removing any one because he happened to be an Irishman. Any one who became chargeable must before removal be summoned before a magistrate, and an order for his removal must be made, and thus, by a simple process, the removal of persons chargeable would be accomplished. At present the numbers burdening some English parishes far exceeded the means possessed by those districts; they very much exceeded any relief that could be given in the workhouse. In the present state of the law, when a pauper became chargeable, a summons was served upon him, and he immediately went away instead of submitting himself to the legal process of removal. The law, therefore, became inoperative. He conceived it would be an act of charity to the paupers themselves, as it would be an act of justice to the parishes, to remove paupers at once. He repeated, that no person not now liable to removal could be removed under the Bill now before the House. It would only facilitate the removal of those who, under the previous state of the law, might legally be removed.

SIR J. GRAHAM said, in giving his support to this Bill, the only observation he had to make was, that he greatly feared it would be found to fall far short of the necessity of the occasion. At his instance, Parliament had some years ago made a very grave alteration with respect to the removal of Scottish and Irish paupers from England. Until the year 1844, the burden of the removal was not a parochial charge, but a charge on the counties, and consequently there was much less hesita-

tion on the part of the magistrates to carry that law into execution. Even now the burden of that charge, which had fallen on the parishes, was so extremely onerous, coupled with the other conditions required before the Irish pauper could be removed, that in the main that law was inoperative. Though this Bill removed one of the obstructions to the execution of the law, the necessity of the summons, yet still a very heavy charge would fall on the various localities, and the condition would remain that no Irish person could be removed to Ireland, except he were accompanied by an officer having charge of him. When the question was considered three years ago, there was at that time no provision for the relief of the Irish in their own country. Parliament was now deliberating on a law which would give to the Irish a permanent right to demand relief in their own country; and when they were so entitled, the time would come when it would be absolutely necessary to consider whether the Irish could not be removed to the country of their nativity in some more cheap and easy manner. At present it would be premature to enter into that subject. This Bill, though it removed some of the existing difficulties, by no means went so far as he thought it would be necessary to do with reference to the removal of the Irish. His right hon. Friend the Secretary for the Home Department had at an early part of the evening answered a question with respect to the influx of the Irish into Liverpool, and mentioned to the House some very wise and salutary regulations which had been enforced with respect to steam vessels bringing over Irish paupers diseased, or infected with fever. If he were not much misinformed, the state of affairs at Liverpool was very anomalous. There was a stipendiary magistrate at that place, who entertained a conscientious scruple, arising from the present unhappy condition of Ireland, without reference to the difficulty of carrying the law of removal into execution, and he declined to grant a warrant of removal except upon *mandamus* from the Court of Queen's Bench. Thus the law was suspended by the stipendiary magistrate. Nor was this all. Measures were taken by the Liverpool ratepayers, suddenly distressed by the unexpected burden, to remove the charge in part from Liverpool and distribute it over the whole country; and thus they actually advanced money to pass the Irish paupers by cheap trains to the metropolis and other towns. There was not only danger that this would spread fever and disease, but infallibly, if this went on, the English labourer would be brought of necessity to the level of the Irish labourer. Disease, poverty, and suffering would rapidly spread in this country; and in the state of affairs about to arise, when on the one hand you provided means of subsistence and support for the Irish in their own country, self-defence would absolutely exact from the Government the taking of effective measures to return the Irish to their own country, who could not support themselves without aid from the rates of this country. He was quite certain that this measure would be found to fall short of the necessity of the case. He thought it went as far as in present circumstances they were entitled to go, whilst the fate of the measure for the relief of the Irish poor at home was still doubtful; but if that Bill should pass, the question must then come under the view of Parliament, and measures infallibly more stringent than this Bill would then seem to the wisdom of Parliament expedient.

Mr. P. SCROPE quite agreed with the right hon. Gentleman that this measure would have little more effect in meeting the difficulties of the subject than a fleabite on the hide of an elephant. He thought the emigration of paupers from Ireland, for no other purpose than that of throwing themselves on the rates in England, ought to be stopped. At present a trade was springing up in the conveyance of paupers, by which cargoes of persons were tossed from one country to the other and back again, on the plan of battledore and shuttlecock.

Mr. FRENCH said, that the burden of the song of the hon. Member for Stroud (Mr. Scrope) had ever been "legislate for Ireland for the benefit of England." He regretted that on this occasion the hon. Member was supported by the right hon. Baronet opposite. The English would allow the poor Irish to come in and cut the harvest, or assist in the manufactures of the country, when anything could be got by using the labour of Irishmen; but the moment their crops failed, or trade became dull, they would throw them back for subsistence to their own country.

Mr. CARDWELL thought the remarks of the hon. Gentleman who last spoke an ill return for the assistance of England so liberally and cheerfully given to Ireland.

The hon. Member for Roscommon (Mr. French) must have forgotten the question before the House. There was one town in the kingdom which had had the addition to its population of 100,000 Irish paupers. The number which had arrived was 150,000, but as 50,000 had emigrated, a permanent burden was imposed on that town of maintaining 100,000 strangers—a number equal to one-third of its own natural population. That burden, moreover, was coupled with every circumstance which could render it insupportable—contagious disease and utter destitution—yet it was borne with the most exemplary patience. Every sort of kindness had been shown the strangers, both by the public officers and by the most extended private charity. Having now given the Irish the right to relief in their own country, what was the question? Why, that the Legislature should pass a measure to remove a technical difficulty which rendered the law they had just passed inoperative, as far as the Irish paupers at Liverpool were concerned. They asked the House to remedy that technical defect, and to take care for the future that the people of Liverpool and of other towns should have the full benefit of the assistance the laws could give them. It did appear to him, then, that the remarks of the hon. Member for Roscommon were perfectly uncalled for and unjustifiable.

SIR H. W. BARRON did not think that the hon. Member for Clitheroe (Mr. Cardwell) had himself read the Bill to which he had recalled the House. The object of the hon. Gentleman who commenced the debate (Sir J. D. Norreys) was to draw the attention of the House to the summary jurisdiction given by the Bill. What did the Act say? Why, that if a relieving officer "believes" a person ought to be removed, he might take him without a warrant before a justice of the peace. Was that a form of law? Was that a thing to enact in that House? Supposing he were taken up in the streets of Liverpool, and dragged before a justice of the peace, how could he bring his action against the assailant for his "belief?" Was that British law or British justice? Was it common sense? Was it not rather the sense and justice they might expect to find at Constantinople? The hon. Member for Stroud wanted a stringent law passed to prevent Irishmen from coming to England. Did he forget that Ireland was part of the British empire? Why did they not propose a similar law for Scotland, for Yorkshire, or for Devonshire? The hon. Member suggested to the Government the necessity of a stringent law to prevent Irishmen from coming to England unless they could show good reason for it. Why, what sort of legislation was that? The noble Lord the Member for Liverpool (Lord Sandon) suggested, and the hon. Member for Stroud (Mr. P. Scrope) supported him, that no Irish person should come to England unless under certain restrictions. A more dangerous, nonsensical, and impracticable measure never could be enacted. What! did they mean to say that they were to make a law to prevent Irish people from going to England? Were they to enact a law which in the worst days of the despotism of Napoleon he never would have dared to propose? Did they intend to enact a law which the autocrat of Russia would have blushed to propose? He believed the measure would have the effect of yet more estranging the Irish people from England, and he would feel it his duty to oppose it to the uttermost.

VISCOUNT SANDON felt called upon to say a few words. He did not really think that any Gentleman in that House was favourable to a measure which would have the effect of preventing the people of Ireland from crossing the Channel and settling in England; and he regretted to see that the hon. Member for Waterford (Sir H. W. Barron) considered it necessary to indulge in such indignant exuberance of language in resenting what he supposed to be an insult to the Irish people. Great excuses were to be made for the language in which the people of Liverpool addressed that House, for really they had been very seriously aggrieved in a pecuniary manner by the great number of Irish paupers who had emigrated within the last few months to their town, and who had become chargeable upon it. He was sure the intention of the Government was merely to remove a technical objection, and not at all directed to prevent the Irish people from coming over to this country.

The CHANCELLOR OF THE EXCHEQUER regretted that the hon. Baronet the Member for Waterford should have so much mistaken the construction of the law about to be enacted. The hon. Baronet had denounced the measure as arbitrary, cruel, unnatural, and unjust, and had stated that the autocrat of Russia, with all his despotism, would not have

dared to enact such a measure. Really the hon. Baronet could not have made himself conversant with the facts of the case, for it was not proposed to attempt the removal of any person until he had become chargeable to the parish, and had received relief, either himself, or his wife, or child. The present Bill provided that the person who so relieved the pauper (being a relieving officer) could take such a person before a magistrate, and so have him removed. The practical effect of the measure, which applied to all three countries alike, was to dispense with the necessity of summoning the person so relieved, and nothing more. It was repeatedly found impossible to serve a summons on such persons; and the object of this Act was merely to dispense with the necessity of serving that summons. It applied to all three countries. English poor in Ireland and Scottish poor in England would be treated in the same way.

Mr. WAKLEY had not expected so soon, after millions had been given to the poor of Ireland, to hear of an anti-Irish feeling existing in this country. Where did the hon. Member find evidence of the truth of his insinuation? The Irish people had themselves to blame; for, if Irish landlords and men of property had done their duty by their own poor, there would have been no necessity for the legislation that was now imperatively required. But they had not so done their duty. The poor of Ireland were, and had been for years, in a state of starvation. There was, perhaps, an appearance of harshness in this Bill, but it would not be felt practically; for he really believed that the Bill would be inoperative altogether, in consequence of the enormous expense at this moment of removals. With respect to actual removal, this Bill did not alter the existing law at all. Whence, then, the necessity for injurious language, and accusations that were so unjust? For twenty years he had been demanding a Poor Law for Ireland. He had always foreseen it must come, and now England was threatened with danger to which she ought not in justice to be exposed. He had no wish to alarm the public mind; but the fact ought to be stated, that typhus fever was rapidly spreading in some of our workhouses. He was not sure it was not in London; he knew it to be in some workhouses near London, and it had originated in the influx of Irish poor. Did Irish Gentlemen believe that the voyage to England was a pleasurable one for the Irish poor? Did they know how the unfortunate people were driven about from parish to parish, and what misery they endured, having no place of rest? Could Irish Gentlemen feel contented with this wretched condition of their own poor? Talk about confiscation of property! Why, he would rather all the estates in Ireland, and England too, should change hands to-morrow than that such a state of things should continue as now existed. He thought the Government had been most unjustly assailed in respect of their Irish measures. They had had a most difficult game to play, and great credit was due to them for what they had done. He believed they would have done more if they could. Why, but a few hours ago a Motion had been carried in another place, which deprived Irish paupers of the benefit of permanent relief. It was high time that the English voice should be heard on behalf of the Irish poor, if the Irish Gentleman would not do their duty towards the paupers of their own country.

Mr. FORBES considered the present Bill absolutely necessary, and thought the sooner it passed the better. He should not have risen on this occasion had he not been desirous that some Member should be found to stand up and defend the Irish landlords. The hon. Member for Finsbury (Mr. Wakley) had been somewhat sweeping in his condemnation; but he had omitted to notice the exertions of the Irish landlords, some of whom, Mr. Blake and Lord Lurgan, had lost their lives in their attempts to mitigate the sufferings of the people. He would vote for the Bill, but he could not refrain from exonerating the Irish landlords from the odium cast upon them by the Member for Finsbury.

Mr. GRANGER thought the power given to relieving officers was too great. It would be better to make a provision authorizing a relieving officer to apprehend a person immediately upon receipt of relief, than render a man who might be walking in the street and eating a crust of bread liable to be taken up, merely because he had an Irish accent.

The ATTORNEY GENERAL said, that the provision complained of was merely to remove a technical objection; the objections to it should be made in Committee.

Sir R. FERGUSON did not object to the principle of the Bill, for he considered some measure was quite necessary; but he objected to the extensive power given to overseers. There was one effect of the

Bill which he wished to bring under notice. There was power to remove the paupers from the seaports of England to the ports of Ireland; but when there no power existed to compel their removal to the parishes to which they were chargeable. The Bill might, therefore, be described as a measure to benefit the seaports of England at the expense of the seaports of Ireland.

Bill read a second time.

POST-OFFICE ACCOMMODATION TO THE HEBRIDES.

MR. BAILLIE, on the Order of the Day being read for going into Committee of Supply, called the attention of the House to the state of Post-office accommodation afforded to the Hebrides. The islands of Skye and Lewis had been relieved of the expense of conveying the mails from the main land; but in the case of Long Island the old system existed. If the map was consulted it would be seen that Long Island was composed of three islands; but as at low water they could be communicated with by fords, they went under the common name of Long Island. The proprietors of that territory were Lord Macdonald and Colonel Gordon. Up to a late period the expense of the packet which conveyed the mails from the main land, and which was 300*l.* a year, was defrayed by these two proprietors and their tenants; but about four years ago Colonel Gordon objected to the payment of his proportion, on the ground that it was the duty of the Government to deliver all letters at a uniform charge, and the whole expense devolved upon Lord Macdonald and his tenants. In consequence of the heavy expenses to which his Lordship had been subjected from the calamity which had overtaken the island, he had been under the necessity of intimating his intention of withdrawing his contribution. He (Mr. Baillie) wished to know what course the Government intended to pursue under such circumstances? It was surely not intended that a population of 15,000 persons should be deprived of Post-office accommodation.

MR. PARKER stated, that the subject to which the hon. Member referred, had been mentioned to him some time since, and he communicated with the authorities at the Post Office, from whom he understood that inquiries would be instituted in Scotland; but no official communication had yet been made to the Treasury as to their result. The question was still under the consideration of the Postmaster General; and he hoped that arrangements would be eventually made which would meet the wishes of the hon. Gentleman and those whose views he represented.

SUPPLY—MISCELLANEOUS ESTIMATES.

House in Committee of Supply. Several votes were agreed to.

On the vote of 50,000*l.* on account of the works of the Caledonian Canal,

MR. HUME observed, that 200,000*l.* had already been spent upon this canal, and it never had been of use, it never would be of use, and it never could be of use.

MR. WILLIAMS said this was one of the greatest jobs which had ever been perpetrated. Although 1,035,000*l.* had altogether been expended on this canal, the returns for this enormous expenditure were scarcely enough to defray half the ordinary annual cost of continuing the navigation. He objected to any further outlay upon this canal. The right hon. Baronet the Member for Tamworth (Sir R. Peel) had, some time before agreed to send down a commission to inquire into the progress of the works; and Sir Edward Parry, who was entrusted with this duty, made a report, which in his opinion was most unsatisfactory. The right hon. Member for Tamworth had stated that a contract had been made, under which all the works would be completed for 165,000*l.*; and he gave a most distinct assurance to the House that not a shilling more would be required. Instead of 165,000*l.* however, 205,000*l.* had been expended on these works since the statement to which he referred was made. He wished to know whether the sum required for the purchase of steamers for the navigation of the canal was included in this estimate?

MR. PARKER said, the sum of 205,000*l.* including the vote now proposed, had been expended on the works since the period to which the hon. Gentleman referred; and he was informed that the estimates of the whole expense required for working the canal efficiently was 226,000*l.*

MR. DUNCAN denied that the canal was a useless work; and mentioned that a vessel, loaded with guano and drawing about seventeen feet of water, had passed up the canal and was now lying at Inverness.

The CHANCELLOR OF THE EXCHEQUER said, that the cause of the additional expense was an accident, which could not be foreseen, and owing to which

the banks were broken and a considerable quantity of land laid under water.

COLONEL SIBTHORP thought the hon. Member for Coventry had been long enough in Parliament to place very little reliance on the promises of public men. He thought all these items ought to be investigated by a Committee up stairs.

MR. FORBES said, that the hon. Member for Montrose was willing to spend the public money, part of which was paid by the inhabitants of Scotland, on the British Museum and public picture galleries in England; and he did not see why the hon. Member should object to a portion of the public money being expended in providing the inhabitants of the Highlands of Scotland with the power of fertilizing and cultivating their land, by giving them the means of carrying there cargoes of manure.

MR. HUME: If by some means one cargo of manure has passed through the canal, are we to pay 50,000*l.* for the chance of seeing another cargo of guano pass through?

Vote agreed to.

Several other votes were agreed to.

House resumed and adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Monday, May 10, 1847.

MINUTES.] PUBLIC BILLS.—2ª Threatening Letters, &c.

PETITIONS PRESENTED. From Dissenters of Buckingham and other places, against the proposed Government Plan of Education.—From Monaghan, that Assessments for the Relief of the Poor in Ireland may be charged on the Unions at large.—From Newcastle-upon-Tyne and Winchester, for the Enactment of Sanitory Regulations.—From Drogheda, against the Reduction of Duty on Colonial Spirits.—From Geashill, King's County, for the Restoration of the Bishoprick of Kildare.—From Clergy of the Diocese of Ardagh, complaining of certain Provisions in the Poor Relief (Ireland) Bill, and praying for the Introduction of a Clause for their Relief.—From Waddesden and Buckingham, for Alteration of the Law of Settlement.—From Guardians of the Carrickmacross Union, against the Clauses in the Poor Relief (Ireland) Bill constituting Justices of the Peace *ex-officio* Guardians.—From Beverley and Tickton, against Sunday Travelling on Railways.—From Bolton-le-Moors, for the Better Observance of the Sabbath, and for the closing of Public Houses on that day.—From Liverpool, in favour of the Government Plan of Education.

POOR RELIEF (IRELAND) BILL.

House again in Committee.

On Clause 20 being read,

LORD STANLEY asked whether the Government would object to give power to the Poor Law Commissioners to alter the boundaries of electoral divisions as well as of unions?

The MARQUESS of LANSDOWNE doubted whether Clause 18 of the 1st & 2nd of Victoria did not give sufficient power to alter electoral divisions; and he doubted the expediency of the re-enactment of that clause in another shape, or giving fresh powers.

LORD BROUGHAM called the attention of the House to the original Settlement Act of the 13th & 14th of Charles II., to show how much the present state of Ireland resembled the state of England at that time, and the mischief then experienced from the great extent of parishes.

The EARL of WICKLOW then moved as an Amendment, to insert the words—

"That it shall be lawful for the said Commissioners, when they shall see fit, to form into separate electoral divisions towns with a population of 3,000 and upwards."

One of the greatest of injustices would be to throw upon the towns the burden of the surrounding districts. He did not insist upon the exercise of the power; he only gave it.

LORD MONTEAGLE had a prior Amendment, to introduce words showing for what purposes alone the electoral districts should be altered.

LORD CAMPBELL objected to any words which would appear to limit the Act, as a preamble often did, mischievously.

EARL GREY said, that the Poor Law Commissioners already had the power to alter and extend or diminish the electoral divisions, as they might think fit; and he thought it a wise rule not to renew the power in other terms, lest it might lead to ambiguity and misconstruction.

The MARQUESS of LANSDOWNE was of opinion that the Amendment would have no effect at all; but that, if it did, it would be restrictive of the power which the Commissioners already possessed; and he certainly was opposed to any such restriction.

EARL FITZWILLIAM did not believe that the Commissioners would exercise their power in the mode proposed by the noble Earl (the Earl of Wicklow). Why should the support of the poor fall upon the electoral division, and not upon the union at large? Nay, why not upon the whole kingdom? This was a most important question, and it was one which made him think that their Lordships would have acted most unwisely if they had made the Bill permanent.

The MARQUESS of CLANRICARDE said, the clause, as it stood, left to the

Commissioners the power which they already possessed, of altering the size of the electoral unions as they should think fit; but the Amendment pointed out to them certain cases in which that power ought to be exercised. If the Legislature, after having given a discretion to the Commissioners to act as they thought fit, were to attempt to point out in detail the cases in which that discretion should be exercised, then, instead of the introduction of a few words like those in the Amendment of the noble Earl being sufficient, it would be necessary for them to insert a complete schedule. For this reason, he considered it better to leave the whole matter to the discretion of the Commissioners.

Amendment negatived.

The EARL of WICKLOW said, he had another Amendment to propose, and which he wished to be inserted at the end of the clause, to this effect:—

"Provided, nevertheless, that nothing herein contained shall empower the Poor Law Commissioners to alter any union of electoral divisions without the consent and approval of the Lord Lieutenant of Ireland."

The MARQUESS of LANSDOWNE suggested that the noble Earl should postpone the Amendment to a subsequent period of the debate, or to the bringing up of the report.

Amendment withdrawn.

Clause agreed to.

Clauses 21, 22, and 23, agreed to.

On Clause 24, which enacts that schools shall be established for the North and South Dublin Unions,

LORD MONTEAGLE made a proposition that the Poor Law Commissioners should combine or make a union of unions for the purposes of education, and should establish school houses in which the children might be provided for; and that an education of industry should be superadded to the ordinary branches of education.

The MARQUESS of LANSDOWNE was understood to say, that he had not the least hesitation in acknowledging the value of the suggestion made by the noble Lord, and would promise that the subject should be taken into immediate consideration.

Clause agreed to.

The other clauses having been agreed to, and the Bill having passed through Committee,

LORD STANLEY: My Lords, I think this is the most convenient time at which I can place before your Lordships for consideration the important Amendments of which I have given notice. I am quite sure that in proceeding to the consideration and discussion of this most momentous subject, your Lordships will approach it without partiality and without any bias of mind, or any reference whatever to those misapprehensions and misrepresentations which have been industriously circulated, with regard to the effects which this clause will have, and also with respect to the motives which led to its introduction—that you will not pause to consider whether the vote which I ask you to give is a vote which will confer upon you a momentary popularity or the reverse—that you will not be influenced by those insinuations which have been very liberally thrown out with regard to the probable political consequences of your Lordships' adoption of this course—but that you will deal fairly, manfully, and independently with the propositions which I have the honour to submit to your notice. It has been said that this Amendment I propose is a landlord's Amendment. I deny that altogether. I should be ashamed of myself if, connected as I am with Irish property, I submitted for your Lordships' consideration a clause intended for, or calculated exclusively, or even primarily, to benefit that class to which I myself belong. I should be yet more ashamed of myself if that advantage was to be purchased by any corresponding disadvantage to any other class in society. But, my Lords, my firm conviction is, that so far from being a landlord's Amendment, if it be for the profit of one section above another, it is a labourer's and not a landlord's Amendment. The object which I have in view, and which I am sure your Lordships will have in view, is, not the promotion of the interests of any particular class, but how best to conduct this perilous experiment on which we are now called upon to enter—how best we can steer clear of those difficulties and dangers attending a measure which we are asked to enter upon, and upon which you have decided—and, notwithstanding all the objections, and difficulties, and dangers, I think wisely decided—to enter; and this can be only done by calmly, deliberately, and impartially considering how best we can make the property of Ireland able to bear the heavy burden we are about to throw upon it, by enabling it to maintain those labourers whom we desire to rescue from their present distress. I am not deterred, therefore, by any of the considerations to which I have referred from sub-

mitting this Amendment to your Lordships, which in my conscience I believe is necessary for the safe working of this great measure. I am not even deterred from submitting this question to your consideration by the rather unusual announcement—by that extraordinary message—from the House of Commons which was conveyed to you this evening by my noble Friend on the cross benches, who, in order to influence and regulate your Lordships' decision upon this question, thought it necessary to state that the Earl of Lincoln had changed his mind. My Lords, undoubtedly recent events have made it particularly convenient that when there is any general change of opinion in the House of Commons—a change *en masse*—an intimation of the same should be forthwith conveyed to your Lordships; but I confess that, with the most unfeigned respect for my noble Friend on the cross benches, and for my noble Friend to whom the allusion is made, I am not in the least affected by that announcement, nor am I at all scrupulous, notwithstanding its importance, to call upon your Lordships to throw out of consideration altogether the fact that the Earl of Lincoln, who voted for a similar clause on a previous occasion, is prepared to give a different vote if the subject again be submitted to his notice. Nor am I deterred from bringing this subject forward by that which has much greater weight on my mind, the objection of my noble and learned Friend, who is not now in his place (Lord Brougham), and also the decided objection of the noble Marquess opposite. I am not deterred, because I think my noble and learned Friend upon this side of the House argued against the clauses upon that which I think rather an objection to the measure itself, than to the clauses; nor by the noble Marquess, because, I think, that, in stating the grounds of his objection to this clause, he propounded a principle most dangerous in an assembly of public men—namely, that we must legislate, not upon principles, but upon "impressions;" and that the "impression" which would be produced by the adoption of this clause would be inimical to its satisfactory operation. I think the noble Marquess was very unwise in that declaration; for, my Lords, I need hardly tell you, that it is not "impressions" we are to look to, but we must consider effects and consequences. We must, in our legislation, have in view, not a momentary popularity—not the gratification of "impressions," but that which will be best and safest for the country. I feel convinced that unless you adopt the principle of this Amendment which I submit to your Lordships, you cannot hope that this experiment will terminate but in disastrous and ruinous results. I ask of your Lordships to deal with Irish property as you would deem it safe to deal with English. I know the great body of your Lordships are unconnected by property with Ireland; but you will, nevertheless, do your duty by that country; and I ask you with confidence, whether you would dare to propose or attempt to carry into effect a Poor Law for England based upon the principles of this Poor Law, although there would be so many safeguards in England against its abuse which it is universally admitted do not exist in Ireland? If you cannot, then, with what reason—with what hope—can you anticipate success, or, in short, anything but miscarriage, for a law which you could not and would not venture to impose upon England? Before you sanction such a Bill as this, you must, at all events, show me that this experiment, which would be dangerous in England, will be safe in Ireland. Point out to me the particular circumstances which make a law that would be liable to gross abuse even in England, not so in Ireland; and you must do so before you can withhold your consent from my proposition. On you lies the *onus* of proof, not on me. You ask me to extend the English system of relief to Ireland; and I, on the other side, demand that you show me that that system will be protected by the safeguards which you find to be, not expedient only, but essential in this country. Now, the measure which your Lordships propose to adopt, must, by the confession of every one, necessarily operate a great and vast change, social and economical, in Ireland; and the object which I profess to have in view—the main object of this Amendment—is to relieve them from the great pressure of the poor rates—not by any stingy niggardliess of bounty—not by withdrawing relief from those who are really destitute—not by driving to despair those who are really in distress; but by superseding the necessity of pauperism, by furnishing the means of independent labour. Let me recall to your Lordships' consideration the principle on which the burden is now distributed between the landlord and tenant. According to the law, as it at present stands, the rate is, in the first instance,

levied exclusively upon the tenant; but the tenant is entitled to deduct from his landlord, not half the amount of the rate charged upon him, but a poundage upon his rent, equal to one-half the poundage of the rated value on which he has been charged. Now, let me point out practically how this works. You would suppose, naturally—and, indeed, I have heard many of your Lordships say—that the burden is thus equally distributed between landlord and tenant. But, my Lords, it is no such thing. It is notorious that the rated value of the land is infinitely, on an average, below the fair rentable value of the land; and I believe I am not far wrong in stating that the land which is rated at 20*l.*, would, without being at all over-rented, pay a rent of 30*l.* Now, observe how the law works with a shilling a pound rated upon the tenant. He pays, in the first instance, 1*s.* a pound upon his rate of 20*l.*; and then, being entitled to deduct from his landlord half the poundage of his rent, he deducts from his landlord not twenty, but thirty sixpences, or 15*s.* out of the 20*s.* which he is called upon to pay to the rate; and the result is, that one-fourth only of the rate is borne by the occupying tenant, and the other three-fourths by the landlord. I don't think that this is at all an exaggerated statement; but, suppose that the tenant pays less than this, still the result would be that the tenant pays one-third of the rate, while the landlord pays two-thirds. My Lords, the relation between landlord and tenant is better understood here than in Ireland. The condition of the tenantry is infinitely superior here; the farms are much larger than they are in Ireland; and yet I ask those of your Lordships—and I shall be content to rest the whole grounds of my argument on this point—I ask those of your Lordships who have been in the habit of attending to the working of the Poor Law in England, what would be the economical, financial, and moral condition of this country, if the farmers had the power of levying rates, two-thirds or three-fourths of which rates were to be paid by their landlords? I ask what you think would be the effect on the landed property of the parish? That is an important consideration; but it is not the only and it is not the most important consideration. I ask what you think would be its effect on the employment of labour? I ask what you think would be its effects on the multiplication or diminution of pauperism in the parish? I ask what you think would be the inducement on the part of the farmer to employ additional hands and improve his holding, if the alternative should be—not as it now is in England, that unless you employ them as labourers you must pay them as paupers—but if the alternative should be, that unless you employ them as labourers they must be supported as paupers by the landlords? I am certain that England would sink under such a system—it would lead infallibly to the complete demoralisation of the condition of the parish—it would destroy the independence of the labourers—it would increase, not only the amount of the rates, but also the number of paupers—it would annihilate and deaden all exertions, all efforts, and that parish would be overwhelmed with the mass of pauperism. I ask, is there a man among your Lordships who will deny that this would be the more than probable consequences if such a measure were passed with regard to England? Is there a man among your Lordships who is prepared to follow up this measure of legislation for Ireland by assenting to a similar measure for England? And on what grounds would you hesitate? If the farmers of England were to say, "This is what the farmers of Ireland have obtained—this is a burden which you, the English landlords, say ought to rest upon the landlords—the imposition of which you say is wise, politic, just, and safe," let me ask you, my Lords, with what face, with what arguments, on what grounds you could resist the demand for vesting the same power, without the safeguards which you now have, in the farmers of England? Well, then, if none of your Lordships will deny the dangers of this state of things as applied to England—if none of your Lordships can suggest an argument by which a similar claim could be resisted in England—then tell me what are the safeguards on which in Ireland you peculiarly rely? Are the tenantry there more wealthy? are their means of employing labour greater? are their relations with their landlords more close and confidential? are they more thrifty? are they more likely to be so far-seeing as to see the advantage of employing the labourer rather than supporting the pauper? Why, my Lords, it is notorious that all this is not so—that it is the reverse. If there is any security from character—if there is any security from station—if there is any security from a friendly relation between landlord and tenant, that security exists in England—that security is lost in Ireland.

I don't know whether I would venture to entrust such a power into the hands of Scotch proprietors and tenants; I believe that the habits of that country, the intelligence of the farmers, the extent of the farms, the knowledge of their respective duties and rights, are such that, if such a measure would be safe anywhere, it would be safe in Scotland. I should be still more sorry to trust to the operation of that measure in England; but I am certain that in Ireland it would be absolute and entire ruin—absolute and entire ruin, not to the landlords only, nor even to the landlords primarily, but absolute and entire ruin to those hopes which you entertain, and which I yet trust to see realized, of introducing a better state of things, of creating an independent body of labourers, of separating the labourers from the farmers, and of employing the labourers on the land. My Lords, if you hope to effect these objects—and without effecting these objects there can be no hope for the social regeneration of Ireland—if you hope to bring about this change, it can only be by making it the interest of the occupier to increase the amount of labour on the land in his occupation; and that cannot be done in any other manner, or by any other means, than by holding out to the tenant this penalty, that if you refuse to employ the labourer it will be necessary and incumbent on you to support him. But if you hope that the tenantry will employ the labourer, and that they will exert themselves for the purpose of increasing employment, because they know that if they do not their landlords must support the labourer in idleness, then you are proceeding upon a supposition too utopian, too monstrous, too absurd, to be entertained by such an assembly as I have now the honour to address. Well, then, if this principle cannot be safely attempted in England, I call upon you to show how it can be safely attempted in Ireland. I throw upon you the burden of proof—I call upon you to show why you propose to introduce into Ireland a principle with regard to relief which you would not introduce into England even with the safeguards that now accompany it; that demand I have a right to make, and I hope that your Lordships, before you agree to reject my Amendment, will expect to hear a satisfactory answer to it from Her Majesty's Government. But I may be told, "Oh, the circumstances are so different between England and Ireland, that though the law as it stands may be perfectly adapted to England, yet it is not adapted to Ireland." Why? I want to know what are the circumstances which make that wise and safe when applied to Ireland, that would be unsafe and absurd when applied to England. Perhaps you may tell me that you cannot trust the Irish landlords in making arrangements with their Irish tenantry. This, indeed, is the only objection which bears on the face of it the shadow of an argument against the principle for which I contend. Let me, then, for a moment, examine this argument. You cannot trust the Irish landlords in making agreements with their Irish tenants. My Lords, if I proposed by this Amendment to remove an existing burden from the shoulders of one class to place it on those of another, while the other circumstances remained unaltered, I should be the foremost to denounce such a measure as a gross injustice and a flagrant act of iniquity. If the landlords were at present charged with the payment of the poor rates, and I were to say, remove the burden from them to the occupying tenant, that would be the height of injustice to the occupying tenant. But, my Lords, I seek no such thing. I ask you to affirm in this Bill—and unless you affirm it now you never will affirm it—I ask you to affirm a wise and sound principle—I ask you to lay down right principles at the time of imposing the burden—I ask you to lay down a rule which will make the burden bearable. Do I ask you to make the transfer now? By no means. I ask you to interfere with no existing agreements—I ask you to violate no present leases—I ask you to interfere with no existing contract or agreement between landlord and tenant as it at present stands. But this I ask you to say—that whereas the principle is sound and just that where the occupier alone has the means of giving employment, he should be induced to give it by the consciousness that if he does not the burden will fall upon his own shoulders, and not upon those of another man. I ask you to say that in the case of all future leases the principle should be affirmed as it is in England; and that the burden shall fall upon the tenant, and not upon the landlord. In the case of tenants at will—and there are many such cases in Ireland—I do not propose at once that the tenant at will, in accordance with this principle, should be made liable to pay; but I propose in my Amendment that on the 1st of January, 1850, the tenant at will should be liable to the same conditions as a tenant on a lease.

If the principle, then, be sound, the question is, is my mode of applying it a safe one? I do not apply it at once, I apply it prospectively. I save all existing leases, I apply it only to future leases. I save the tenants at will for two years and a half; and in the mean time I leave it to the landlords and tenants to enter into new agreements upon the subject under the altered circumstances of the case. I know, my Lords, that there is a popular argument used. I know that there is much popular declamation abroad respecting the hard hearts and the griping hands of the Irish landlords. I know that there is too much of an indiscriminately sweeping condemnation abroad at the present moment in this country at the cost of the Irish landlord—and I know how ready people are to say, "We can't stop to pick two grains of wheat from the bushel of chaff, and we can't separate the good landlords from those who are regardless of their duties and indifferent to everything but how they may collect with the utmost rapacity whatever they may wring from the hard earnings of their tenants." I know that these imputations are unjust in general. That they are well founded in many instances I admit with pain and regret; but they are unjust as applied to the whole. Yet you legislate for the whole. And let me remind you, my Lords, if that be the character of the Irish landlords—if it be the fact that there are instances of such rapacity and of such cruelty—such short-sighted rapacity and such blind cruelty—do you think that you can protect your tenantry by your legislation from the rapacity and cruelty of their landlords? Do you think that the same landlords who have now the power and the will, according to you, to exact the uttermost farthing from their tenantry—to screw every shilling and every penny which they can drag from them by any means in their power—do you believe that these landlords will not protect themselves against your legislation by demanding from their tenants an increased rent to cover the increased rate? But perhaps you think—indeed I have heard it alleged—that the tenantry cannot pay the rates. The fact is, my Lords, that the tenantry do now pay the rate. It is from the tenantry that the rate is collected—it is by the tenantry that the rate is paid, and all they do afterwards is to produce the receipt for the rate as part payment of their rental. Can you believe, if, as you say, there be a returning spirit among the Irish peasantry to give for land its full price—if there be that spirit among the Irish landlords to exact every additional shilling that can be got, and to agree to every additional farthing that may be offered—can you entertain the vain delusion that by merely causing the landlord to pay the rate, you will relieve the tenant? If the landlord already exacts for rent as much as the tenant can be induced to offer, the landlord will be able to collect nothing more than the tenant has; and if he now collects all that he has, the result will be, that he will be able to collect less rent in exact proportion to the amount the tenant has already paid in the shape of rate; and so the proposition will also hold true in the converse, that he will be able to collect more rent in exact proportion as you relieve the tenant in the shape of rates. I have not heard an argument against this proposition, unless it be that it will be impossible to collect the rates, owing to the organized resistance of the tenants. But, my Lords, that is a confession which no Government can make with any regard to self-respect. That is a confession which is fatal to all law and all order; and I trust that in your Lordships' House, at least, it will not be brought forward as an argument against this clause. If the principle of my proposition be right—if it be sound—if the application of it prospectively be safe—then I hope that I shall not suffer what I must consider the degradation of hearing in the House of Lords this argument, that in adopting a principle just and sound in itself, and necessary for the welfare of Ireland, you will be met by an organized system of passive resistance, which you dare not encounter in support of the law. I know not that I need trespass further upon your Lordships' attention in advocating the Amendment of which I have given notice. I have stated shortly what I conceive to be its recommendations—the encouragement of labour. I have stated also what will be the fatal consequences of its rejection—that it will take away all stimulus to improvement—that it will bring all labourers down to one dead level of pauperism. As you have an amount of pauperism already hanging over Ireland, that threatens to absorb the whole of its available revenue, your only hope of encountering that pauperism is by the establishment of a different class of tenantry, the breaking up of those small farms which prevail in Ireland, and the diminution of that tenacity which the tenants of Ireland exhibit for the occupation of wretched plots

of land, and to establish a body of independent labourers. These are the grounds on which you can alone rest for the diminution of that flood of pauperism which threatens to overwhelm you; and if you reject this Amendment, you reject all those safeguards with which a measure like the present ought to be surrounded; and, in all sincerity I say it, you will render the future improvement of the social state of Ireland a matter of impossibility. Do not dream that by your legislation, legislate as you will, you can prevent that which I know is acting strongly on the public mind now, and which is kindling a flame in this country against Ireland and every thing Irish; do not hope that you can prevent the influx of a large body of labourers from among the poorest classes of Ireland into this country. So long as your rate of wages here is higher than the rate in Ireland, so long will that influx take place. The more you keep down the rate of wages in Ireland, the more you will add to this evil; the more you encourage pauperism, the more you discourage the occupiers of land from giving employment to the labourers for the purpose of keeping them off the poor rate; the more you reduce, in short, the amount of labour in Ireland, the more you will have of that influx of pauperism which is threatening to overwhelm this country. Do not let these considerations be without weight in deciding upon this question; do not hope that this legislation, which will throw on Ireland the burden of their own pauperism, regardless of the consequences that may happen to Ireland, will be without its effects upon yourselves. Believe me, that you soon will find out that your selfish legislation will be visited on your own shoulders—that the injury to Ireland will recoil upon yourselves and fall with recriminative justice on this country, while it will aggravate the evils which you unwisely think by your legislation to obviate. I entreat you to consider this question as judges deciding upon a question of right, and prudence, and justice; and I ask you to do no more for the landlords of Ireland—I ask you to do no more for the tenants of Ireland—I ask you to do no more for the labourers of Ireland, than to give them the same rights which you have given the same classes in England, accompanied with those safeguards which you have found to a certain extent to be effectual in this country; but without which, I again put it to your Lordships' knowledge and to your Lordships' experience, without which you cannot safely carry into effect this law. The noble Lord concluded by proposing his Amendment as follows :—

"That, save as hereinafter provided, it shall not be lawful for any occupier of rateable property holding under any lease or agreement to be made or entered into after the passing of this Act, nor for any tenant at will, or from year to year, after the 1st day of January, 1849, to deduct from the rent to which he may be liable in respect of such property any amount whatever in respect of any rate which may be imposed at any period subsequent to the date of such lease or agreement, or subsequent to such 1st day of January, as the case may be. That all the provisions of the Act 6th and 7th Victoria, c. 92, intituled 'An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland,' for the charge and recovery of rates upon property rated to a net annual value not exceeding 4*l.*, shall be deemed and taken to apply to the like property rated to a net annual value not exceeding 5*l.*; provided nevertheless, and be it enacted, that no immediate lessor holding under any lease or agreement to be made or entered into after the passing of this Act, shall be authorized to deduct from any rent by him payable under such lease or agreement to his superior landlord, any amount whatever in respect of any rate which may be imposed at any period subsequent to the date of such lease or agreement."

The MARQUESS of LANSDOWNE, who was nearly inaudible during a great part of his speech, said, that he had on a former evening adverted to this Amendment as being by far the most important that would come before their Lordships on this Bill. He would make no reference to that particular consideration adverted to in the outset of his speech by the noble Lord, and arising out of an observation made on a previous evening by a noble Earl on the cross benches, because, though he was far from thinking that, as matters of convenience, those considerations which arise out of the privileges of the two Houses of Parliament, ought to be entirely disregarded, he would leave that, as a subject for subsequent deliberation, to meet the noble Lord fairly, and to discuss his Amendment on its own merits, exclusively of all other considerations. Taking the most calm and deliberate view of that Amendment that it was in his power to form, he had no hesitation in adopting the noble Lord's own expression, and as the noble Lord had said that the retention of this clause would prove in its consequences disastrous to Ireland, and disastrous to the present measure, so in like manner would he confidently assert that the adoption of the noble Lord's Amendment to the clause would prove disastrous to Ireland—disas-

trous to the peace of Ireland, and disastrous to the success of a measure which he was justified in stating the great majority of their Lordships were desirous of seeing passed into a law. He would repeat, a great majority of their Lordships were desirous to pass this measure, because they had now gone through the most important clauses; and yet, with regard to the most important of the principles contained in them—namely, the extension of relief—they had seen that neither the noble Lord on the bench below him (Lord Monteagle), nor the most reverend Prelate above him (the Archbishop of Dublin), who were most opposed to the principle of the Bill, nor any other noble Lord, had up to that moment thought fit to take the sense of the House against that extension of the principle of relief. Even that evening they had heard the noble Lord himself say, that he was desirous the Bill should pass into a law. He thought he had therefore a right to take all this as a test that the Bill was considered by their Lordships to be necessary, and that it was a Bill which they were desirous to see adopted, though at the same time they should all admit that it was not without its difficulties, and not without the probability of circumstances arising which would beget opposition to it. He would beg their Lordships to consider what was the character of the measure. It was a Bill, the operation of which would require in Ireland new and extensive machinery—it was a Bill which would require a great extension of the powers of boards of guardians, and which would also require great efforts both on the part of the landlords and of the farmers to keep up and stimulate the industry of the country, in order to prevent the cost of relief to be given under this Bill from running into excess. Now he would say that the efficiency of this Bill to secure these objects depended on its fitness to give to all classes—but above all to the two great classes, who were the most important in the country, the classes of landlord and tenant—an equal interest in the administration of the law on the soundest, most careful, and most direct principles. But how was this great object to be carried into effect? Was it by any new principle? No. It was to be effected by equalising the burdens on the landlord and on the tenant. Was this anything new? Did not their Lordships adopt it five or six years ago, when the Irish Poor Law was first carried? And had it worked ill or well since then? Had it not admittedly worked in the best manner? And yet now, when they were about materially to extend the law, and extend the burdens imposed under it, they were asked by the noble Lord to depart from the system which had worked well, and to adopt an experiment which, if he knew anything of the people, or of the tenantry of Ireland, would, he could answer for it, ensure its working ill. He would say it was most essential for them to carry with them the feelings of the country in adopting a measure of this kind; and yet at the very moment of introducing by Act of Parliament a greatly aggravated and new burden upon the country, their Lordships were desired to choose that moment in order to endeavour to throw the whole of that burden on the tenant and to take it off the landlord. Was that the enunciation—was that the herald of peace which the noble Lord had chosen to send forth from his ark in order to conciliate the people? Was this the proper occasion to adopt a provision, which up to this moment had not been executed, and which he would say could not be executed? The noble Lord had thrown out that Her Majesty's Government were extremely careful of securing popularity in Ireland—that they were extremely afraid of all rumours of opposition from that country, which might be directed against any of their measures, and more particularly against the Bill now before their Lordships. If they were about doing anything unjust in order to court popularity, he should most readily agree in the truth of the noble Lord's charge. But were they doing so in the present instance? Was it courting popularity to impose a heavy burden on the country; or was there anything unjust in making that burden press equally on all classes, in accordance with the principle of the law already in force there? But he would ask the noble Lord to reflect before he repeated that in imposing burdens of that sort they ought to be quite regardless of the "impressions" which their acts would produce in the country, or that there were any acts of the Legislature which ought to be adopted without a previous careful weighing of the impression which these acts would produce on the public mind, more especially when they were, as in the present instance, of a severe and pressing character. But what, he would ask, was likely to be the impression created abroad if the Amendment of the noble Lord were carried? By carrying the clause as it now stood, he did not think

the impression likely to prevail was that either Her Majesty's Government or their Lordships were disposed to act unjustly, or partially, or improperly towards the landlords. That was not, he thought, a charge which they were deserving of having brought against them, and it was not the argument which the noble Lord used. But what would be the impression abroad if the Amendment were carried into operation? Take the case of a peasant about taking a lease of some ground. The noble Lord said that the peasant so acting would proceed with a knowledge of the burden that was to be imposed upon him, and would be on his guard against offering too much rent. He was, however, a person likely to take land on any terms. That was the character which the noble Lord assigned to him, and yet the noble Lord thought he ought to calculate at such a time the amount of the burdens that were in future times likely to come upon him. Suppose the case of a tenant who had taken a lease, and who, from a sudden increase in the distress of the country—from a sudden alteration in the system of agriculture pursued, or from a sudden deficiency in the crops of the country—found that the poor rate imposed upon him for in-door relief and out-door relief came upon him with a doubly aggravated charge — take the case of such a man, with the rent and tax collectors at the door, and he thought that the noble Lord, with all his ingenuity—with all his powers of making the clearest possible statement—would not, if brought into contact with him, be able to satisfy him that he ought to pay the whole of the rates, and that the Legislature had acted wisely and justly in taking care that the entire burden should fall on him, and not a penny of it on the landlord. With all his respect for the powers of the noble Lord, he thought the noble Lord would be likely in such a case to find himself defeated in argument; and it was probable that among all the peasantry in Ireland he would not get a single convert to his doctrine. The tenants would say, "We did not calculate on these circumstances arising." "Oh but," the noble Lord would answer, "you ought to have calculated upon them. We, the Legislature, in passing this Act, avowed that we did not know what the consequences would be; we did not venture, with all our knowledge of the principles that might act in raising or diminishing the amount of poor-rates, with all our proficiency in the details of political economy, we did not foresee any of these things; but you, sitting in your cabin and in the midst of your mountains, you were bound before you took your lease to take them into your consideration. You have made a mistake, and though that mistake is fatal to you, you must abide by it." The Irish landlords might in many instances concur with the noble Lord in his doctrine, and might be disposed to take the same view of charity as a very eminent and acute philosopher and moralist—Sancho Panza—did of honour. His view was, "There is nothing so noble or so fine as honour—there is nothing so deserving of merit; and so whenever I get into a fray or a battle, I endeavour to leave the whole of it to my master." But the noble Lord seemed to view with perfect indifference the idea of whether a tax, when once adopted and sanctioned by Parliament, could be collected or not. He would ask the noble Lord, however, whether this was the first time such a consideration was raised? Did the noble Lord remember anything that passed in the debates concerning tithes? Did he not remember that the Church of Ireland had been induced to abandon a portion of its just rights on no other ground but that the collection of that peculiar rate or tax—call it what they would—was attended with circumstances which rendered it impossible that it could be got in? The Church, much to its honour, concurred with the Government of the day, and consented to forego a portion of its rights, in order to ensure what had since taken place, the easy and certain collection of the remainder. But it was not in that case only, but in a great many other instances, that the Legislature was compelled to take into consideration, when imposing any burden on the country, what the facility would be of collecting it. It was, he would say, therefore, clear that the farmer would feel that he had an interest in not having the whole burden of the rate thrown upon him. The noble Lord had spoken as if it was only by the employment given by the farmer the amount of poor-rate was to be kept down. He agreed with the noble Lord that the farmer would, when the Act passed, have a considerable interest in keeping down the rates by the employment of the labourers; but the landlord ought also to have an interest in effecting the same object. It was not in the smaller class of improvements alone that labour was to be employed; and their Lordships had already

admitted such to be the fact in sanctioning advances of the public money to the landlord, in order that he might effect improvements on his property. If they wished to give him an interest in making those improvements, why should they place the whole burden of the rates upon the tenants? He would say that the Legislature acted far more wisely in adopting the course it had taken, than in following that suggested by the noble Lord. The adoption of the principle of placing half the burden on the landlord and half on the tenant, was originally sanctioned, without any material opposition, by their Lordships' House. But then the noble Lord said, "Why not take the example of the English law?" He would beg leave to ask another question of the noble Lord, and that was, "Why not follow the example of the Scotch law?" The Scotch Act, which he had before him, equally divided the burden between the landlord and the tenant; and what was most remarkable was, that that Act had received the sanction of the noble Lord himself two years ago, when the Bill was introduced. Every one of the noble Lord's arguments would have applied against the Scotch Bill, but not one of them was then thought worthy of being urged against it by the noble Lord. Seeing, therefore, that this principle was in operation now in Scotland, and that it had been working, and working well, in Ireland, for the last five or six years, he could not concur in the demand made upon their Lordships to disturb it now, when they were about to try what many called a perilous, and what he was free to admit was a somewhat adventurous experiment with regard to the state of Ireland. He begged not to be misunderstood on this subject. He thought it most material that the tenant should bear half the burden. The noble Lord said there were many instances in which the tenant did not bear half the burden; but he would remind their Lordships that a remedy was provided by law for any injustice that might be done to the landlord in consequence of the property being valued too low to the poor rates, and that remedy was now in course of operation. The landlord had power to require a revaluation of the property where he thought the former valuation too low, and that revaluation could not but ultimately bring the valuation of the country to a proper standard. If there was an imperfection in a law of which the principle was good, he would ask their Lordships not to let the imperfection in one of the details weigh with them as a reason for departing from a good principle, and that for the purpose of adopting not only a vicious principle, but one which would raise a feeling—and that not without reason—in the country against the execution of the law altogether. On these grounds he would ask their Lordships to give their dissent to the Amendment of the noble Lord.

Lord WALSINGHAM said, that he wished in a very few words to state his reasons for voting against the Amendment of the noble Lord. He agreed with the noble Marquess opposite that it was highly necessary that there should be a Poor Law, and an efficient Poor Law, in Ireland; and he thought that the Government were entitled to credit for the manner in which they had discharged the very difficult duty of preparing and conducting this measure through Parliament. Unquestionably the subject was one of great difficulty; but if the Amendment of the noble Lord were carried, the difficulty of putting this measure in force in Ireland would be incalculably increased; increased to such an extent, he believed, that it would be impossible to levy the rates. The noble Lord had asked whether any one would dare to propose the principle of this measure as to the division of the burden for the Poor Law of England? Why, he knew that there were many persons who were exceedingly desirous of introducing into the English law the provision that, with respect to small tenements, the whole burden should be thrown on the landlords. He dissented also from the position of the noble Lord that if the farmer did not employ the labourer he must maintain him in idleness; he thought that the employment of the labourer should depend upon the real value of his labour to the employer, not upon such considerations as those suggested by the noble Lord, and he hoped that they should soon get rid of that principle which was now in operation in the English Poor Law. He would not further trouble their Lordships, but he had felt anxious to state that the noble Lord's reference to the English law did not appear to him to have the force attributed to it.

Lord MONTEAGLE said, he felt it due to himself, as well as to his noble Friend (Lord Stanley), to state why it was his misfortune to differ with him on the present occasion. He thought their Lordships, as well as the public at large, were frequently led astray by the supposed good

which was anticipated from assimilating the laws of England and Ireland into a supposing that a measure which worked well in England must necessarily work well in Ireland. This might be the case if the circumstances of the two countries were the same; but they obviously were not so; and he could not give his support to the Amendment of the noble Lord without feeling that he was throwing difficulties almost insurmountable in the way of the possible success of this experiment. Now, he begged to say that when once this Bill became the law of the land, he should do his utmost, as far as he was individually concerned, and as far as his influence went in his own vicinity, in concurrence and in competition with its strongest supporters, to give it every fair play. He could not, therefore, in common candour, become a party to a clause which, in his judgment, would be fatal to its working, or which at least would diminish its chance of success. He did not say that he was one who entertained very sanguine hopes of its success; but whatever its chances of success were, he believed that the adoption of this clause would greatly diminish them. In the case of England the tenants, if not reconciled to the burden, had at least been long accustomed and familiarized with it, and had taken it into account in all their transactions. But he begged the House to remember, that in Ireland the introduction of a Poor Law was a novelty altogether. When the Legislature proceeded to pass a Poor Law in Ireland, they found all property alike exempt from the burden, and it became necessary to decide on what description of property it should be imposed. They accordingly made a selection; and he thought on the whole it was the wisest and best. They endeavoured to reconcile both landlord and tenant to the burden by extending it over both, subject to defined objections. If he remembered rightly, there was in the original Bill no exemption of the smaller tenants; but when they came to apply the measure in Ireland, they found themselves compelled to retreat from the principle of an equal division in all cases. In Ireland it would be most unwise to call on the smaller occupiers to contribute for such purposes; and even if it were prudent, under more favourable circumstances, to place the burden directly on the tenant, it became most inexpedient to do so at a time when their Lordships and everybody connected with Ireland knew that the amount of the distress, and also of the tax now about to be imposed, was as compared with that hitherto collected, as the weight of a mountain to that of a molehill. Yet, concurrently with this increase in the amount of the burden, his noble Friend (Lord Stanley) proposed to cast it on the class least able to bear it. If the burden were diminishing, if the rate were falling from 10*s.* in the pound to 1*s.*, then the lesser rate might be cast on the occupier; but, when the amount of the rate was rising from 1*s.* to 10*s.*, it was entirely impracticable to take the step which was recommended to them. At best, he was not very sanguine as to the successful working of this measure in some parts of Ireland. In certain districts, where the population was not in excess, it might possibly succeed; but in the province of Connaught, in the county of Mayo, for instance, in Sligo, and in other parts, it was impossible to think there was a chance of the measure being carried into effect, should the Amendment be adopted; and he was not willing to make himself responsible for this consequence. Besides, they should look to the peculiar position in which Her Majesty's Ministers then stood. If the Bill with those clauses were sent, contrary to their wishes, to the country, and that it should not be found to work as had been expected, the Ministers might turn round upon their Lordships and say, that those who differed from them, like himself, had persisted in carrying an Amendment which had destroyed the very essence of the Bill, and but for the interpolation of which the measure might have succeeded. But his opposition to the clause did not extend to the general principles laid down by his noble Friend opposite. From those general principles laid down as matters of economical science by his noble Friend, he would not differ; and if they had in Ireland a better state of society—if they had a better social system, and a long habitude in favour of the payment of a tax like this—then the proposition might perhaps be safely adopted; but in the present state of Ireland it was impracticable—the introduction of the clause would make the collection of the rates impossible. He believed that the determination of the proprietors to bear their share in the burden of the rates, had produced a good effect in the trying circumstances in which they had been placed; and he had never yet heard any individual proprietor complain of that portion of the Bill which subjected him, as a landlord, to bear his own share of the rate.

If any step could be taken that would give a colour to falsehood and could lend calumny a strength it ought not to possess, it would be the refusal of the landed proprietors of Ireland, at the present moment and under existing circumstances, to bear their share of the burden. For these reasons, he undoubtingly and unhesitatingly—though from personal feelings reluctantly—gave his opposition to the clause.

The EARL of HARDWICKE did not think that the manner in which the whole subject of the Bill had been introduced to their Lordships had been such as to attach them much to its prospective influence upon the country, nor was it calculated to induce noble Lords upon his side of the House to adopt it without looking maturely into the principles upon which it had been framed, or to prevent them from following a perfectly independent course with regard to its details. It was not surprising that they should look upon it as introducing a principle entirely new in the country, that of out-door relief to the able-bodied; and he suggested that they should imagine a condition of affairs in England similar to that existing in Ireland, in order that they might be enabled to form some judgment as to the propriety of adopting the several branches of the measure. The noble Lord opposite (the Marquess of Lansdowne) had stated that he was anxious to give the landlords an interest in the well-working of the measure, by placing a certain number of *ex-officio* guardians upon every board, and by making them liable to pay their proportion of the rates. But he (the Earl of Hardwicke) should tell the noble Marquess that the landlords had other, higher, and more important duties to perform, than looking after the allocation and economising of the rates. If an interest as a ratepayer were given to the *ex-officio* guardian to economise the rates as much as possible, was he or was he not likely to be careful of their expenditure? What was the position of the landlord in England with regard to the poor? The boards of guardians were formed of ratepayers elected from amongst the body of ratepayers at large, and of *ex-officio* guardians. The task of looking into the economy of the rate fell upon the ratepaying portion of the board; but the landlord sat at those boards as the poor man's friend, and instead of screening himself from liability to further rating, as he necessarily would do if the body to which he belonged were obliged to pay those rates, his duty was to stand between the ratepayer and the poor man, and to see that the poor received the care which was their due, and had the proper benefit from the rate. He was the friend of the poor, and it was desirable that such should be his position before the poor of the country, and were he the ratepayer himself he would probably be more rigid as to the expenditure. The effect of the clause too, was prospective, and not immediate, and the prospects of the ensuing three years were such as to make it most probable that the rates would be so heavy that the arrangements to be entered into between the landlords and the tenants, when the clause should come into operation, would be extremely favourable to the tenants themselves, inasmuch as they would necessarily seek for such reduction in the amount of rent as should compensate for the additional pressure of the poor's rates to which they would then be liable. And the rent being fixed and settled, the tenant would be left, when a reduction in the amount of the rates should have taken place, with a certainty of holding his land at a rent infinitely below what it would have been subject to had the landlord continued liable to pay a proportion. It appeared to him (the Earl of Hardwicke), therefore, that he at least had no other course left but to consent to the Amendment of his noble Friend. He knew nothing personally of Ireland whatsoever; but he knew that the state of things which had existed, and did still exist, could not be suffered to continue. A regulation should be made for the support of the poor, and in doing so some great principle should be laid down, by which the humbler classes should be relieved from their present state of misery; their lands should be better cultivated, employment should be obtained for them, and that could not be done unless the ratepayers themselves became the direct employers of labour. To the other powerful arguments which had been adduced by his noble Friend, he could add nothing; and he should therefore conclude by repeating his intention of voting for the clause.

The EARL of ST. GERMANS said, that the noble Earl who had just addressed their Lordships had employed an argument to induce the House to accede to the Amendment, in the justice of which he (the Earl of St. Germans) could not altogether acquiesce. The noble Earl said, that if the landlords should be exempted from the payment of rates, or rather

they should not be called upon to pay them in the first instance, they, being many of them *ex-officio* guardians, would behave liberally towards the poor. What was that but saying that they would act as benefactors of the poor at the expense of the occupiers of the land? Those noble Lords who opposed the clause then under consideration appeared to assume that the circumstances of the two countries, Ireland and England, were alike. But the fact was, that they were very dissimilar. In England a farmer calculated the amount of the local burdens which he would have to pay in addition to the rent; and if he found the aggregate sum too large to allow of his getting an adequate return for his capital, he carried his capital elsewhere. In Ireland the case was widely different. The holding of land was in that country a matter of necessity. If a farmer in Ireland calculated at all—and very few in that country ever did calculate—all he would look for in return for his capital, or rather his labour, would be a sufficiency to enable him to maintain his family on the most inferior description of food. Throw upon such a man an additional burden, and you then drive him to maintain himself and his family on a smaller quantity of that inferior description of food. That would be the result of the adoption of the Amendment proposed by his noble Friend. His noble Friend had twitted him for having, as he termed it, been the bearer of a message from the House of Commons. He took all that had fallen from his noble Friend in good part; but, at the same time, he must be allowed to disclaim having been the bearer of "a message from the Commons." He had supposed—and it did not appear to him that the supposition was an unreasonable one—that the opinion of a noble Lord who had recently been officially connected with Ireland, and who did not habitually act with the party by which the measure was supported, might have some weight with many of their Lordships, who were unacquainted with the state of Ireland: under these circumstances, he thought himself justified in stating to their Lordships, that he had ascertained from conversation with his noble Friend, who had permitted him to mention the circumstance, that in consequence of information which he had received from Ireland since the present clause was under discussion, he had seen reason to change the opinion which he then entertained respecting it. He would now advert to the impression which the adoption of the Amendment was calculated to make upon the minds of the people of Ireland. His noble Friend (Lord Stanley), far from evading that consideration, had, with that courage and disregard for difficulties which so pre-eminently distinguished him, called upon the House to despise and disregard all that they had heard of the impediments which lay in the way of such a proposal as that before them. He had said that their Lordships should not be intimidated from carrying it out, merely because they were told that it would be almost impossible. He seemed to think it more creditable that their Lordships should pass it for the very reason of the difficulties and impediments which surrounded it. It would not, however, be unbecoming in their Lordships to reflect calmly upon the effect which might be produced upon the people of Ireland by altering the clause in the manner proposed by his noble Friend. If, after having largely increased the number of *ex-officio* guardians, the Legislature were to deprive the occupying tenants of the right of deducting any portion of the rate from the amount of their rent, the guardians would be placed in a very invidious position. It might be that, in England, charges of this nature, though they ultimately came out of the land, would in the first instance be borne by the tenant; but, if a similar course were now to be pursued in Ireland, the occupier would see in it only this—that a burden had been removed from the landlord and placed upon him; and the result would be, that the hostile feeling which already prevailed in many parts of Ireland against the *ex-officio* guardians, would be seriously aggravated. His noble Friend dwelt at some length upon the difference between the gross and net annual value for the various poor-law unions paid by the landlords; and it appeared to him (the Earl of St. Germans) that he greatly exaggerated their proportions; for, if noble Lords would take the trouble to look at a Parliamentary return which was laid upon the Table of both Houses in 1843, and headed "Parliamentary Electors," they would find a return from every union by the Poor Law Commissioners, showing the difference between the gross and the net annual value of the property rated, from which it appeared that the average did not exceed 18 per cent. It was not his wish that the difference, whatever might be its amount, should continue; but he begged to remind their Lordships, that if parties represented

to the Poor Law Commissioners that their property was unfairly valued, a new valuation would take place. It should also be borne in mind that a new general valuation, upon a just principle, was now in progress in Ireland, and would be completed in a few years. The Amendment proposed by his noble Friend was open to this further objection—that it would place the grasping, avaricious landlord on the same footing with the liberal landlord. In anticipation of the present discussion, he had endeavoured to make himself acquainted with the arguments which he supposed had been urged against the principle of the clause now objected to when the Irish Poor Relief Bill was brought up to their Lordships' House in 1841. For that purpose he had looked at the record usually referred to in such cases; but what was his surprise at not being able to find a syllable upon the subject. The measure, as a whole, was vehemently opposed. The strongest denunciations were uttered against it. The very words which, on the present occasion, had rung in their Lordships' ears —"confiscation," "revolution," "rebellion"—these were all lavishly employed on that occasion; but not one syllable was said against the mode of levying the rate which was now deemed so objectionable. The noble Earl (the Earl of Wicklow) had indeed spoken upon the subject of the limitation to 5*l.* valuation; but the assertion of the noble Earl was not that it was too low; on the contrary, he then complained that it was too high, and that the rating ought to commence at a much higher amount of valuation; and the noble Earl had also urged that the rate ought to be paid by the landlord, and not by the tenant. Failing, therefore, to find anything upon the subject of the present assertions and arguments in the Upper House, he had referred to the debates in the other House of Parliament, and there he had been more successful. He found that Mr. O'Connell had moved to omit the clause, and to substitute for it a rate upon the landlords, and not upon the occupier. That hon. Gentleman argued at some length upon the injustice of the proposition, and his views were supported, not by the popular party, but by an hon. Friend of his (the Earl of St. Germans), whose opinions were much respected and looked up to—Mr. Lucas, the Member for Monaghan—who said that he

—"quite agreed with the hon. and learned Member for Dublin, that in a variety of cases the working of this clause would be found to be surrounded with difficulties. The first was, that the occupier, who was generally a person very little above a state of destitution himself, was to be called upon to advance the amount of this rate for his landlord. English gentlemen ought not to suppose that they had to do with rich substantial farmers, to whom a trifling outlay was a matter of no consequence. But, even where one-half of the rate was to be paid by the occupier, he would be subject to great hardships, inasmuch as if the county cess collector was also to collect the poor rate, the occupier had to pay the rate long before the period he was usually called on to pay his rent. The hon. Member concluded by stating his intention of moving a proviso to remove the payment from the occupier."

Colonel Conolly, an Irish landlord, whose opinions were entitled to great respect, and could not be charged with being actuated by a desire to sacrifice the interests of his brother landlords, said that

—"he agreed with what had fallen from the hon. Member for Dublin, and considered that the demand ought to be made on the person who was finally liable to the rate. The House by this clause was reversing the principle adopted with respect to tithes, and which was found to work so beneficially for the peace of the country. He agreed with his hon. Friend the Member for Monaghan, that it would be peculiarly hard to call upon the occupier to advance the amount of this rate, when he was excused by the operations of this Bill from contributing anything himself. He thought entering into collision with the pauperism of the country was one of the causes of all the scenes that had unfortunately taken place in Ireland; and he implored the noble Lord the Secretary for Ireland to weigh well the recommendations thrown out by the hon. and learned Member for Dublin and his hon. Friend the Member for Monaghan, and not throw the burden of this rate upon those who had not the means at command to meet it."

The same view of the subject was taken by Mr. Redington, Mr. Jephson, and Mr. Shaw. Thus, then, it appeared that in one House the question which now occupied their Lordships' consideration was never alluded to, whilst in the other a proposition was made to make the clause apply with greater stringency to the landlord. He might be permitted to refer to the report of the Committee on townland valuation in Ireland, which sat in 1844, and to the evidence given before it by Mr. Gulson, Mr. Muggeridge, and Mr. Senior, the assistant poor law commissioners. That Committee, in its report, begged the House to consider whether the principle of apportioning the burthen of the rate between landlord and occupant, adopted in the Poor Relief Act, should not be extended to county cess and other local taxes? That was an additional authority

for retaining the clause as it stood. He entertained a very strong opinion as to the impolicy of the Amendment, as he believed that it would deprive the Bill of that prospect of success which would otherwise attend it when it became the law of the land in Ireland. The Bill before their Lordships proposed to make a great and important change in the social condition of Ireland; and he trusted that they would have sufficient wisdom to pass it unclogged by an addition which would deprive it of any reasonable hope of success.

The EARL of MALMESBURY said, that although the noble Earl had quoted the opinions of Colonel Conolly and other Members of the House of Commons on this question, he would not take further notice of the arguments used in another place than to state that they had not influenced him. He should now explain as briefly as possible the reasons which induced him to support the Amendment of his noble Friend. He was an English landowner, and had neither an acre of land in Ireland nor any experience of that country, but he felt that the Amendment proposed by his noble Friend involved a direct principle, and was not a point of detail. He, along with the great body of the people of England, was favourable to, and indeed anxious for, the establishment of a Poor Law in Ireland. He was willing to give credit to Her Majesty's Government for the sincerity of their intentions to promote the well-being of Ireland; but he claimed equal credit for himself and those around him. When the present English Poor Law was brought in, it was supported by the most eminent Members of the then Government; and the principle involved in that measure was, that the occupier should pay the rates. The principle which he conceived common sense called for was, that the rates should be taken from the produce of the land; and how could that be better done than by going to the fountain-head, namely, the producer? He believed the farmers of England would be sorry to see the system changed in England: why then adopt a different course with regard to Ireland? No reasonable excuse had been used in that House for this difference, besides the assertion that there would be found great difficulty in making the occupiers in Ireland pay rates. Was it meant to be asserted that the occupiers could not afford to pay them, or that they would not do so? He was not to be told that they could not pay the rates, for they would be smaller in amount than the rents they now paid. If he was told that they would not pay them, he could only observe that such a state of things involved consequences of the most serious nature. No enemy of Ireland had ever paid a worse compliment to the people of that country than to say of them that they would resist the payment of rates for the maintenance of their destitute fellow-countrymen; and he might observe, that it by no means followed that because the Catholics of Ireland refused to pay for the support of the Protestant clergymen in that country, their Lordships should refuse to pass a measure which would have the effect of administering relief to their starving fellow-men. He had often expressed his regret at the distinctions and differences which existed between the laws of England and Ireland. If they continued to legislate for the people of the latter country as they had done, they could not expect improvement. If, however, they legislated for them as they ought to do, there would be some chance of the regeneration of that people. If they did not take away the temptation to possess extremely small holdings of land, how could they improve the system of agriculture? As long as they neglected to assimilate as nearly as possible the laws of the two countries, they would, year after year, be falling into the greatest mischiefs. Would they insult the people of Ireland by telling them that the laws under which the people of this country lived with so much comfort were unfit for them, or rather that they were unfit for such laws? As long as they refused to assimilate the laws of the two countries, England and Ireland might be kingdoms ruled over by the same Sovereign, and though they might be born on the same day—though they might continue to be twins, yet they never could be sisters.

The EARL of WICKLOW said, that on a former occasion he had urged their Lordships to give to the tenants an equivalent to the poor-law rate, by throwing upon the landlords the whole burden of the tithes; but it was a very different thing to adopt that principle at the time of the first introduction of a Poor Law into Ireland, and to follow it now. In his opinion it would be most inexpedient to do so at the present moment; and if their Lordships did adopt the Amendment proposed by the noble Lord, prejudices would be raised in Ireland against that class, against whom, as their

Lordships were aware, very strong prejudices already existed in this country, and the working of the measure would be materially affected. It would create confusion and embarrassment; and, having that opinion, he called upon their Lordships to reject the Amendment.

The ARCHBISHOP of DUBLIN said, he would not detain their Lordships with any discussion of this question, which had been so well discussed already by abler debaters than himself; but as he did not intend to support the Amendment, he thought it right to state that it was not because he at all dissented from the principles the noble Lord had laid down, for he believed them to be sound and right, but because he doubted the propriety of the application of those principles at the present time to Ireland. It was with great reluctance he should oppose the Amendment; but he really feared that the prejudices—in many points unreasonable prejudices—which by the numerous communications he daily received from Ireland he was informed existed against it were such, that the adoption of that one alteration would defeat altogether the working of the Bill. He was exceedingly unwilling to legislate for groundless prejudices; but he solemnly assured their Lordships, that he was really desirous that this Bill might have a fair trial — that no unnecessary impediment should be thrown in its way, even for the assertion of what he called a sound principle; and he was especially anxious that if there were any defect in the measure as it now stood, the cause of it might be seen and rectified before long — in other words, that the failure of the Bill in some points might not be attributed to this clause, and their views consequently misdirected as to the proper remedy for those defects. With the principle of the Amendment he agreed, because he thought it sound and fair; for ultimately, in the long run, the rate must be paid by the landlord, inasmuch as he took the surplus after the payment of all expenses; part of which consisted of the labour bestowed upon the land, and part of the rates. But supposing that all other difficulties which had been adverted to as to the existing state of leases could be got over, he did not think that the Irish tenantry were in such a state of purse or mind that they could be persuaded that they were not called upon to pay more; or to pay an additional rate over and above what they paid now. If that feeling were so strong, be it ever so unreasonable, they must take care not to urge them into such a state of irritable resistance as might impede the working of a Bill that might otherwise work well. If Ireland were in a sound state, and the tenantry possessed more knowledge and more capital, and took a better view of their own interest, he had no doubt that the Amendment would be extremely beneficial; but the tenantry and farmers of Ireland were different from those of this country. In England they were intelligent, and frequently took better views of a question than others of a higher class. He would just mention an occasion in which he had found that to be the case. In that union in England in which he had taken a large part in the management of the affairs of the poor, he found generally that the farmers took better and sounder views, and were more vigilant observers, and better judges of the real state of the poor, than the gentry and clergy. On one occasion he had brought forward a measure for the better management of the affairs of the union. He set forth his views before the guardians, who were mostly farmers, and they were almost unanimous in favour of it; but the governors, who consisted chiefly of the gentry and clergy, opposed it. It was, however, carried by a majority of one, and the result was a saving of 1,600*l.* a year to the parish. He had no doubt that, if they had a tenantry in Ireland such as they had in England, it would be in all respects safest, and wisest, and most beneficial to themselves, if they were the immediate payers of the rates; but such was the state of things there, that he would not venture to add one more peril to what he could not but regard as the very perilous experiment of this Bill.

LORD REDESDALE said, he could not understand the ground upon which this Amendment was opposed. They were told that it was right in theory, and the argument used against its adoption was the difficulty of its administration; and that difficulty was, that the people would not quite understand it. His belief was, that the intelligent men of Ireland understood it very well, and that the large body of farmers would readily turn round and say, "We shall be very happy to take leases at reduced rents, with the chance of keeping down the poor rates by finding profitable employment for the poor." The noble Marquess said, that they would never be able to make the tenants understand that making them pay the rates was not imposing the burden on them; but if they could not make that calculation, then with so helpless a tenantry it was impossible

they could expect that anything could be well managed. By the present law, charity was afforded to the sick and infirm, and to those who could not work; but it was now proposed to levy rates for the maintenance of those who could work. If the tenants had directly to pay the rates, they would calculate whether it was not better for them to employ the poor, instead of having them chargeable on the poor rates. It was said, that this measure had been propounded in consequence of the immense influx of Irish paupers into England, and with a view to prevent it; but it was upon that very principle that he supported the Amendment, for he felt persuaded that if they wished to keep Irish labour in Ireland, they must make it the interest of the Irish occupier to do so; and the only way to do that was, by making it his interest to maintain the poor upon the land rather than by the rates. Looking at this measure as a great experiment, which they were going to try for the first time, it was of great importance that they should proceed upon a sound principle; and if they did that, whatever difficulty there might be in the application, it would be found ultimately to be of the greatest possible advantage.

The Earl of ROSEBERY said, that although he felt very anxious as to the fate of the Amendment proposed, to which he was extremely hostile, he had not intended to trouble the House with any remarks, till he heard what fell from the noble Lord who spoke last. He had stated so erroneously both what was the law, and what the practice in Scotland in rating for the relief of the poor in that country, and had drawn inferences, and recommended measures, in this respect, so much the reverse of real facts, that an erroneous impression would prevail in the House, if the matter was not correctly explained. The old general law of Scotland in assessing for the poor, directed that half the amount should be levied on the owner, and half on the tenant. The Poor Law Amendment Act passed two years ago, authorized three modes of assessment or rating in Scotland; the first, by an equal division of the rate between landlord and tenant; another, by half being imposed on the owner, and the other half on all the inhabitants of a parish in proportion to the amount of the personal property of each; and a third, differing from either of the others, but still leaving an equal amount to be paid by the proprietor, by establishing an equal per centage on him, and all the other inhabitants. But there was, also, this provision in the Act, that wherever either by local Act or by usage any other system of rating was followed, it might be continued with the sanction of the new Board of Supervision. Now, in several parishes a practice had prevailed of charging the whole rate on the landlord; and in many instances with which he was personally acquainted, that was still allowed, though he felt confident not a single one could be adduced where the whole charge was cast on the tenant. These facts, which he was sure could not be contradicted by any one acquainted accurately with the Scottish Poor Law, found a complete answer both to the conclusions and the recommendations of the noble Lord (Lord Redesdale). They also bore strongly against many of the arguments of the noble Lord (Lord Stanley) who proposed the Amendment, who being a Cabinet Minister when the Scottish Poor Law Amendment Bill was submitted to Parliament, was responsible for enactments, contrary to the principle he was now advocating, and which he held to be essential to the proper or even safe administration of such a law. With regard to the clause moved, he would only say that, in his judgment, it would convert a measure not only beneficent, but wise in the circumstances of Ireland, though he would admit hazardous, into one mischievous, and leading to evils greater than the good sought to be accomplished by it. The throwing of the rate wholly on such a tenantry as the Irish, with their poverty and their habits, would inevitably first induce them to evade and ultimately to remit the payment of it; producing, and in a manner inviting, a recurrence of all the horrors of the former tithe system. Although thinking the Bill by its indirect action, which would convert paupers into labourers, as well as by its primary object in relieving the destitute, would prove a great ultimate good to Ireland, he had rather that it did not become law, than have the benefit crushed and overbalanced by the effects of this Amendment.

The Earl of CLANCARTY said, that if the Bill remained as it now was, the noble Lord's Amendment might not be altogether objectionable; but he hoped that other provisions would be made, and that the Amendment of which he had himself given notice, would be adopted, so as to render the noble Lord's unnecessary; and as he did not wish now to prejudge his own Amendment, he would feel it his duty to leave the House unaided by any vote of his

upon the present question. There were some circumstances which, in his opinion, would militate against the adoption of the proposed clause; for if the Bill, or any material part of it, was to be temporary, it would be objectionable to introduce a new principle of rating. There was another objection to altering the mode of rating, because the boards of guardians, which were now based on the representation of the ratepayers, would, under this Bill, be altered to a board of nomination, and not of representation. He was grateful to the noble Lords who were landlords in England for advocating an union system of rating, and showing that they would not put upon others what they were not ready to bear themselves. The occupiers of land, however, were too small and too unenlightened to see the real consequences of the noble Lord's legislation; they would think that advantage had been taken of them; and he urged their Lordships not to aggravate any circumstances which tended to compromise the peace of the country. It was with great reluctance that he withheld his support from the noble Lord; but he would not anticipate the decision to which their Lordships might come on his own Amendment.

LORD STANLEY: Although there has been much irrelevant matter introduced into this discussion, and much in which I do not concur, yet it would be affectation in me to deny that there has been much at which, as a public man, I must feel gratified—much at which I must feel satisfied as an individual; for although several noble Lords have intimated a determination of recording their votes against the Amendment which I have taken the liberty of suggesting, yet not one of your Lordships has in the course of this discussion spoken a single sentence questioning the soundness of the principles on which these clauses are framed—not one who has taken up the challenge which I respectfully threw out—not one has, in short, attempted to answer the arguments which I adduced in support of my Amendment. The most rev. Prelate whom I see opposite (the Archbishop of Dublin) has borne the strongest testimony to the soundness of my principles and the accuracy of my views; and after that admission, I confess the declaration of the most rev. Prelate came upon me by surprise, that in consequence of the impression which would be produced in Ireland if this Amendment were sanctioned, he must come to the conclusion to refuse his assent to a principle in which he entirely concurred. And my surprise is the greater, when I recollect the very strong speech made by the most rev. Prelate in the course of last year, in which he strongly exhorted your Lordships against being actuated or influenced by public clamour or popular excitement, but declared his determination to be solely guided by the dictates of experience; and when moreover I remember that even in the course of the present Session the most rev. Prelate has placed his veto upon the principle of out-door relief being applied to Ireland in any shape whatever. The noble Marquess who followed me (the Marquess of Lansdowne) did not controvert the soundness of my views; and my noble Friend behind me (the Earl of Clancarty) admitted that my arguments in favour of the Bill were convincing, but declined voting for the Amendment, on grounds which seem to me to be of rather a remarkable character, for the noble Earl says that, supposing the Bill to remain as it is, and without further alteration, he conceives my Amendment would be not only wise and desirable, but actually essential — indispensable to the working of the Bill; but yet he declines to support it, upon what seems to me to be a very vague and unfounded expectation, namely, that Parliament will hereafter assent to a modification of the principle of the measure. My Lords, although, from the kindness with which you heard my statement at the commencement of this discussion, I am now unwilling to intrude long upon you, yet there are one or two points to which I wish briefly to allude. It has been objected by some noble Lords that the principle of the Irish Poor Law remains, in respect of rating, as it has done for the last five or six years, and therefore I am not justified in dissenting now from that in which I have heretofore concurred. Now, my Lords, I need hardly remind your Lordships, that this is, in point of fact, overlooking the very basis on which my argument rests. The Irish Poor Law, noble Lords say, has worked well hitherto. Granted, my Lords; but what has been the Irish Poor Law hitherto? Yes, I repeat, what has been the Irish Poor Law hitherto, and what do you now propose to make it? There is just this difference. Hitherto the administration of relief has been strictly within the workhouse, and has been mainly limited to the destitute poor; now it is proposed to extend it to the able-

bodied. That makes all the difference, my Lords. Do you think, my Lords, that had the operation of the present Bill been confined to the aged, the infirm, and the diseased, I would have brought forward these clauses? No, my Lords, I would have rested satisfied had the relief been confined to the existing distribution, although unjust; but my whole argument is, that under the distribution of the rate as proposed by this Bill, the occupier in Ireland, as the occupier in England, has not an interest in keeping down the rates by the employment of the labouring population; and it is by the employment of the labouring population alone that the rates can be kept down. But I will not dwell further on what must be so obvious. You are now, my Lords, called upon, for the first time, to grant relief to the able-bodied—out-door relief—in Ireland in a most extensive form; and therefore it is that I ask you to apply that which will be essential in the new state of the law, but which was not so requisite in the old. But not a word has been said, not an answer has been given to the question, How can you apply that principle to Ireland, which you could not with safety apply to England? How can that be safe in Ireland, which you will not venture to affirm will be safe in England? Now, these are the true points on which I rested the whole case. These are the true points upon which I have demanded an answer. But from the first to the last of this debate, I will not say that my arguments on these heads have been unanswered; but they have been altogether untouched, and an answer has not been attempted. But I am told that in the course of proceeding which I now oppose, I have acquiesced in the enactment of the Irish Poor Law. On the first introduction of that law, I thought it equitable to divide the rate between the proprietors and the tenants; and if now, as on the proposal of the Irish Poor Law, you were introducing a new law, imposing a burden irrespective of all existing contracts, I should think it fair to throw the burden on all classes. It has been said that the principle was applicable to the present state of Ireland. I deny that proposition. This I said, I repeat it, and I feel most deeply, that now you are about to apply, as a piece of permanent legislation, a dangerous and mischievous principle; I think that, in justice, you should lay down what all admit to be the sound principle. Let its application be as prospective as you please; but when you lay down the law, you should say at the same time what the sound principle is, and when it should be practically adopted. The Poor Law of Scotland has been referred to, and a noble Earl has alluded to the part I took on that Bill. Now, in the early part of my speech, in opening my statement, I distinctly declared that if there were any place in which the principle of a division could be applied with safety, it was in Scotland. It is true that I was a member of the Cabinet when the Scotch Bill passed, but I took no active part in it; and there was nothing in the support I gave that measure inconsistent with the course I have taken to-night. But even if I were answerable for every word in the Scotch Poor Law, there is nothing in that which in the least invalidates my arguments. In the Scotch Poor Law, legally I believe, practically I know, out-door relief is not given to the able-bodied. By the Scotch law, there is nothing whatever to prevent the landlord and tenant from entering into an agreement whereby one or other may bear the whole weight of the poor rate. In Ireland, upon the other hand, the enactment not only does not admit of such an arrangement, but actually renders it illegal to enter into a covenant whereby the tenant is answerable for the whole of the poor rates without a corresponding reduction from the rent. My Lords, I will not much longer trespass on your time. I feel that a great majority of your Lordships will withhold your assent from my Amendment, although I fear your decision will be a most unhappy one for the prosperity and welfare of Ireland. My Lords, I deeply regret this, because the arguments which were used by those who have taken part in this debate in opposition to the course which I have suggested, show that you perceive this measure will be fatal to the improvement of the condition of Ireland—that you acquiesce in her continued humiliation and degradation, and bar the way which is now open to the fairest and best prospects of her continued and advancing prosperity. But, my Lords, if I feel this, I still more deeply feel the language and the tone on which the opposition to this measure is founded. I think that this measure, which you have decided to be sound in principle, just, and equitable—[The Marquess of CLANRICARDE: "No, no!"] Why, my Lords, who at the commencement of the debate disputed this principle? It is easy now for noble Lords at the close of an argument to say "No, no;" but I should have been better pleased

if, in the course of the debate, the noble Lord had ventured to say that the principle was unsound, and had proved his position by argument, which would have enabled me to meet him by counter arguments. My Lords, I have heard none. Not one of your Lordships has contended that this principle is not sound and wise. I deeply regret that to this at least generally admitted sound principle, the opposition should be vested on grounds so low—pardon me if I call it so cowardly—as the difficulty and the risk of introducing it into Ireland. I think it is a most fatal declaration of the most rev. Prelate, that we ought on this occasion to be guided, not by what is felt to be the dictates of reason and justice, but that we ought to be guided by the prejudices, nay, the most rev. Prelate went so far as to say that he admitted that they were the unfounded prejudices, of the Irish people. I regret to see what I feel is the determination of a majority of your Lordships to reject this clause. I regret it the more deeply because I see from those who have addressed your Lordships, that every Peer who is connected personally with Ireland acquiesces in the view which is taken by what I feel is the majority of your Lordships' House. I remember the time when, with deep regret, I was compelled to differ on some questions from those with whom I had formerly great satisfaction in acting; and even now, if I could hope by any arguments or any inducements in my power to persuade your Lordships to adopt a bolder, and because a bolder, therefore a safer course—no personal considerations, no suggestions, would induce me now to withdraw my opposition. But when I cannot doubt that the majority of your Lordships intend to requiesce in this Bill as it stands—when I see you consider it not expedient to adopt this Amendment, then, my Lords, I bow to the opinion which I cannot doubt to be general. I will not, for the mere purpose of recording votes, give your Lordships the trouble of dividing; and I trust that those of your Lordships who would have done me the honour of supporting me on this occasion—whose sentiments accord with mine with regard to the principle and policy of this measure—I trust you will not think that I am exercising an unwise discretion in declining to give the House the trouble of an unnecessary division, if your Lordships would permit me, with all espect, but, at the same time, with a full and entire conviction of the truth and the soundness of the principle, to withdraw this Amendment which I have placed in your Lordships' hands. At the same time, so strongly do I feel as to the soundness of my views—so firmly am I persuaded of the evil consequences which will result from the rejection of this Amendment, that as the present proceedings will not appear on your Lordships' Journals, I beg to state that I shall feel it my duty for the sake of form, and only for the sake of form, to move this Amendment again on the bring-up of the report, though I shall not give your Lordships the trouble either of a division or of discussion; but I wish it to appear on your Lordships' Journals that such an Amendment has been proposed, as I fear that, in future, its soundness will be more and more apparent.

The ARCHBISHOP of DUBLIN claimed the indulgence of their Lordships while he corrected a mistake into which the noble Lord had fallen. The noble Lord had ascribed to him a sentiment the very reverse of that which he had advanced. So far from being the advocate of political expediency, or of having come forward as the champion of it, he had always considered that nothing could be expedient but what was founded in reason and in justice; and he had to the utmost of his power, and according to his judgment, been the advocate of what he considered to be expedient for the general good.

LORD STANLEY said, that if he had misunderstood the most rev. Prelate, he was quite ready to acknowledge his error. At all events, he hoped he had not misrepresented or misunderstood that which had fallen from almost every noble Lord tonight.

The MARQUESS of CLANRICARDE was desirous of expressing his dissent from the statement of the noble Lord (Lord Stanley), that his arguments had not been controverted, nor the principle of his Amendment objected to. Most certainly he (the Marquess of Clanricarde) considered that those arguments had been controverted in the course of the debate; and if he had availed himself of an opportunity of addressing their Lordships earlier, he should have directed his arguments against the principles which the noble Lord had laid down. He maintained that those principles were not in any degree sound as applied to Ireland; and he could quote the noble Lord's own eloquent words to show upon what different grounds and principles their Lordships ought to legislate for that country, owing to the difference of the law

between landlord and tenant in Ireland and in England. The only sound argument advanced in support of the Amendment, was advanced entirely upon a wrong principle. It was contended, that this was a measure for giving employment to the poor of Ireland. He denied that proposition. It was a Poor Law Bill, and that was the whole principle involved in it. Dissenting as he did from the principle laid down by the noble Lord, he had not sought an opportunity to enter into the many points which had been touched upon by the noble Lord, because he (the Marquess of Clanricarde) foresaw, at an earlier period than the noble Lord did, that a great majority of their Lordships were against the Amendment.

Amendment by leave withdrawn.

Clause 29, respecting accounts of expenditure, was agreed to.

Lord MONTEAGLE then proposed a Clause enacting that certain clauses (four in number) in the Bill should be in operation for a time thereinafter limited. The noble Lord was understood to suggest that the clause should be inserted in the Bill, and be considered on the bringing up of the report.

Lord CAMPBELL had never, since he had had the honour of a seat in their Lordships' House, been more astonished than at the course just taken by his noble Friend. His noble Friend proposed the insertion of a clause, declaring that certain portions of the Bill should be enacted for a time thereinafter limited, without stating what that limitation should be. Neither in an English nor in an Irish Parliament was there any precedent for such a proceeding. Considering the Parliamentary experience of his noble Friend, this proposal would certainly not redound to his reputation as a Parliamentary leader. He was a little surprised at his noble Friend having introduced his first clause at the beginning of the Bill, declaring that the Bill should be in operation for a time therein to be limited; but now his noble Friend came forward with a second clause at the end of the Bill, enacting that certain foregoing clauses should be permanent, and others temporary. It reminded him of Sir Walter Scott's description of Melrose Abbey—that it was all "buttress, and buttress of ebon and ivory." Were the Committee to send up such a report, it would stultify itself; he must therefore most earnestly implore his noble Friend to reconsider the course he had adopted. His noble Friend appeared to have been much at a loss to fix upon any particular period. At one time he had proposed a year; but that would have been just one year short of the period fixed by the noble Lord opposite (Lord Stanley) for the commencement of the operation of his own Amendment. The noble Lord's Amendment was to begin in 1850, while his noble Friend (Lord Monteagle) proposed that the Bill should expire on the 1st of January, 1849. Such were the proceedings of those who were opposing this Bill! However, it was indispensably necessary that some period should be fixed by his noble Friend.

Lord MONTEAGLE said, that what he originally proposed was, that the chairman should report progress, which he thought would have been a convenient course for all parties; but he would now move that the clause be added to the Bill.

The Earl of SHAFTESBURY (Chairman of the Committee) read the clause, which provided that certain clauses in the Bill should be in operation till the 1st of September, 1850, and no longer.

The Marquess of LANSDOWNE wished everything to be done regularly. He would not say anything either as assenting or dissenting from the Amendment; but merely assented to its being introduced into the Bill for the information of their Lordships, that it might be discussed on a future occasion.

Earl FITZWILLIAM was of opinion that any attempt to limit to a definite period certain clauses of the Bill, while they left the remaining clauses unlimited, could only be attended with the most mischievous effects.

Earl GREY was surprised to hear that declaration from his noble Friend; for on a former evening the vote of his noble Friend had been given in favour of a proposition, the inevitable tendency of which would be to bring about those results now described by his noble Friend as mischievous. Having gone through Committee, and having made some clauses permanent, while others were to cease to operate within a certain period, it would be contrary to common sense if they did not now name the period when these latter clauses should terminate. He would leave it to the noble Lord opposite (Lord Stanley) and his noble Friend (Lord Monteagle) to fight the battle between them, whether the period should be one, two, or three years; no one could suppose that when they had once intro-

duced the principle of out-door relief in Ireland, they would ever succeed, even if they dared to make the attempt, in putting an end to the system. He trusted, however, they would have the opportunity, before this measure became law, of reconsidering this most important question.

EARL FITZWILLIAM protested that his only object was, to make the Bill work in a manner as beneficial as possible to the country.

The ARCHBISHOP of DUBLIN thought that it was a wise policy to limit the operation of the new principle, that of out-door relief, which they were about to apply to Ireland; and he did not see anything inconsistent in making permanent those parts of the measure not necessarily connected with this new principle. There could be no objection to their legislating permanently on principles already recognised; while there was the greatest possible objection to adopting, unless they had previously made an experiment, principles but imperfectly understood, and, when carried out, confessedly attended with danger.

The MARQUESS of WESTMEATH considered that the limitation of the Bill was due to the feelings of the people and the fears of the landlords.

The EARL of WICKLOW stated, that the principal object he had in view in bringing forward the Motion of which he had given notice, to limit the operation of the whole Bill to three years, was, to insure the attention of Parliament being early called to the effect of such a comprehensive measure on the condition of the people. He had no wish at all to injure the Bill.

The MARQUESS of LANSDOWNE suggested that the Motion should be deferred until the report was brought up.

The EARL of WICKLOW acquiesced in the proposal.

Amendments postponed.

LORD MONTEAGLE then moved the Amendment which had been the subject of conversation on a former evening, and which he had delayed introducing at the request of the noble Marquess, the object of which was to provide an effectual preventive against rates being made auxiliary to the payment of rents or wages.

The MARQUESS of LANSDOWNE suggested that the noble Lord should allow his clause to be printed, and take the discussion upon it on the bringing up of the report.

LORD MONTEAGLE had no objection to this proposal, and accordingly withdrew the clause for the present.

House resumed. Bill reported.

House adjourned.

HOUSE OF COMMONS,

Monday, May 10, 1847.

MINUTES.] PUBLIC BILLS. 1° Vexatious Actions; Turnpike Roads (Ireland); Lunatic Asylums (Ireland).

2° House of Commons Costs Taxation.

Reported.—Transference of Lands (Scotland); Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland); Punishment of Vagrants, &c. (Ireland); Poor Relief Supervision (Ireland) (No. 2).

3ª and passed:—Naval Service of Boys; Drainage of Lands.

PETITIONS PRESENTED. By Mr. East, from Winchester, for Alteration of the Law of Marriage.—By Mr. Baine, from Westminster, and Captain Boldero, from Chippenham, for Inquiry respecting the Rajah of Sattara.—By Mr. Brotherton, from several places, against the Use of Grain in Breweries and Distilleries.—By Mr. Forbes, from Commissioners of Supply of the County of Stirling, for Repeal of the Bank of England Charter Act.—By Mr. B. Denison and other hon. Members, from several places, for Regulating the Qualifications of Chemists and Druggists.—By Mr. Dugdale, from Solihull, and Lord John Russell, from Pattishall, in favour of the proposed Plan of Education.—By several hon. Members, from a great many places, for and against the Health of Towns Bill.—By Sir W. Clay, from the Parish of Saint Mary, Whitechapel, London, and Earl Jermyn, from Bury St. Edmund's, for Alteration of the Health of Towns Bill.—By Mr. Smollett, from Commissioners of Supply of the County of Dumbarton, in favour of the Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland); Transference of Land (Scotland); Service of Heirs (Scotland); and Crown Charters (Scotland) Bills.—By Mr. Stansfield, from Huddersfield, against the Highways Bill.—By several hon. Members, from a great many places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Mr. Liddell, from South Shields, against the Repeal of the Navigation Laws.—By Colonel Austen, from Officers connected with the Administration of the Poor Law in England and Wales, for a Superannuation Fund.—By Mr. Mr. J. O'Connell, from Dunamaggin, for Alteration of the Poor Relief (Ireland) Bill.—By Admiral Gordon, from several places, against the Registering Births, &c. (Scotland); and Marriage (Scotland) Bills.—By Sir W. Clay, from Mile End, for referring National Disputes to Arbitration.

SUSPENSION OF THE CORN LAWS.

MR. BAILLIE said, that the noble Lord at the head of the Government had the other night stated, that it was not his intention to take any steps for prohibiting the exportation of corn from this country; but since the noble Lord made that statement corn had risen in price nearly 30*s.* per quarter, and there was all probability of a further rise taking place. He now wished to ask, whether the Government had any intention of prohibiting the use of grain in distilleries for a limited period?

LORD J. RUSSELL: I am not prepared to answer the hon. Member's question with regard to the use of grain in dis-

tilleries ; I will, however, state, that on an early day I shall propose a continuance of the suspension of the corn law for three months.

THE MONEY MARKET—LOAN (DISCOUNT ON INSTALMENTS).

House in Committee on the Loan Acts.

The CHANCELLOR OF THE EXCHEQUER : Sir, I am not aware that I need add much to what I stated to the House on Friday night, as to the intentions of the Government with respect to the course they intend to adopt in the present state of the money market. I stated on Friday that I should propose in the Committee to-night a resolution enabling Government to allow interest by way of discount upon all sums of money paid up by the contractors for the loan in anticipation of the instalments due on a future day. That, Sir, is the resolution I am about to put into your hands. I have already said that it is not necessary that I should state much in addition to what I addressed to the House on Friday night, because I then put the House in possession of the views of the Government on the subject, with the exception of the precise amount of the discount which it was our intention to propose. But it may be as well that I should make some additional statement to what I then advanced, and I will do so very shortly. We do not suppose, as has been represented, that this measure will be sufficient to put an end to all panic and pressure on the money market, which would be anticipating from it consequences utterly disproportioned to what it is calculated to produce, and disproportioned to what any Government could possibly effect in such a state of things as the present. Every one who considers the present high price of corn, and the pressure which it occasions among the manufacturing classes of the community, as well as the high price of cotton and other articles—chiefly those of general consumption—must be conscious of the pressure and suffering which are felt among various classes. To relieve that to the full extent, is, I am persuaded, beyond the power of any Government. While, therefore, I do not anticipate that any complete relief can be given by the measure I now propose, I may be permitted to make a statement of what I do anticipate from the measures which the Government are about to adopt. I am aware that by the proposals we make, an additional burden will be placed upon the public; but I think it would be bad economy if this burden were not submitted to, and this course not adopted. I think the House will be of opinion, that it may be well worth while to pay an additional sum at present, for the advantage of keeping up the price of Government securities of any and every description. The House is aware of the high rate of interest on money at the present moment; of the high price which all are obliged to pay who want it; and that the rate of interest upon Exchequer-bills is much below that of those other securities which come into competition with them. Exchequer-bills have, in consequence, if saleable at all, been selling at a discount, and great loss has been sustained by those who held them. I think it right, therefore, and good economy, to raise the rate of interest on them, so as to bring them to a level with other competing securities. I also believe it will be advantageous, and will tend to relieve the pressure on the money market, if we allow, as I propose, a discount on prepayment of the loan. I believe that the two measures we propose, of raising the rate of interest on Exchequer-bills, and of allowing discount on advances upon the loan, are indispensably necessary for the sake of the credit of the Government, and to keep up the price of its securities; and, moreover, that they will facilitate the operations of the money market, partly by letting loose a quantity of money which has been held in consequence of the alarm, and still more by removing that want of confidence which has pervaded all classes of the mercantile community. The representations which have reached us have been, that the merchants and manufacturers have not been able to carry on their operations because they could not get their bills discounted, and that the country bankers could not discount their bills because they in turn could not get their bills re-discounted in London, as they had been accustomed to do. I have also been informed, from authorities on which I can rely, that the large sum of money which has been advanced on railroad shares, has affected, to a considerable extent, the amount of available capital which would otherwise have been employed in discounting bills. I find also that a system which formerly prevailed, to a small extent, has recently been extensively adopted; and that monied men in London, instead of investing their money in securities, have been in the habit of placing it at call with the bill brokers.

The amount, therefore, placed with the bill brokers induced them to look far and wide for bills to discount, and this tended very much to increase the amount of bills discounted and re-discounted in the country. When the alarm came, then the bill brokers were obliged to return the money which had been thus deposited with them; and this increased, to a great degree, the pressure on the money market. From the unsaleability of Exchequer-bills, the parties who held them, having been unable to realize money upon them, were under the strongest necessity of calling on the bill brokers to return the money which had been deposited with them. The consequence of raising the rate of interest will be, that a premium on Exchequer-bills will enable these parties to dispense with the necessity of calling upon the bill brokers, and thus contracting the means of discount. I believe, therefore, that an advance in the interest on Exchequer-bills will have a considerable effect in alleviating the pressure on the money market; and I confidently hope, from what I hear, that the effect of the measure will be to put a good deal of money again into circulation. I am not prepared to say that it would have been possible for the Bank of England to have done this, except for the last power which I propose to give by the resolution of the Committee, enabling the contractors for the loan to pay up their contributions upon receiving interest by way of discount upon their instalments. The object of the Government was to put themselves in funds, without its being necessary for them to make demands on the Bank for assistance. The statements that are abroad of the demand made by the Government on the Bank during the last quarter, have been exceedingly exaggerated. I had forewarned the Bank early in the quarter of what the probable amount would be; and, therefore, I made neither an extraordinary nor an unexpected demand on the Bank. But I was told that something like an assurance or pledge was given when the Bank charter was passed, that no such assistance would be required. I never entertained such an expectation; but I did expect that in consequence of another measure—that for the equalization of the payment of the dividends in the four quarters of the year—there would be less occasion for assistance from the Bank in two of those quarters, because, as there was a larger amount of dividends due in January and July than in April and October, the necessity for extraordinary aid was greater in the two first-mentioned quarters. I, therefore, thought that it was an exceedingly wise measure, in reducing the 3½ per cent Annuities, to make the dividends payable in April and October, instead of in January and July: but the inevitable consequence was, that so far as the April and October quarters are concerned, the probability of a demand for assistance from the Bank was increased and not diminished. Now, with respect to the practice of requiring advances from the Bank at the periods of payment of the dividends, generally, if I may be permitted, I will read an extract from what I said in 1844, for the purpose of justifying myself against the supposition of having anticipated that the Bank would not be required to give the usual advances on Exchequer-bills, and which it is perfectly safe and proper for them to do. On the 20th of May, 1844, I said—

"With these powers, I apprehend that the Bank of England will continue to perform all the functions which she has hitherto discharged with so much advantage and convenience to the public; as, for instance, making the quarterly advances at the payment of the dividends. There will be no less need of this than before. I am glad to take this opportunity of expressing my approval of the course which the Government took in reducing the 3½ per cents, of transferring the payment of the dividends on the new stock to the spring and autumn quarters. This will have the effect of equalizing the payment of the dividends in the four quarters, and is a very judicious measure. In the same way, the Bank will, I conceive, as heretofore, make advances on deficiency bills, and for rendering assistance to the trade of the country in periods of difficulty. There is no reason why this should not be done out of the capital of the Bank; and, with proper caution and prudence, I believe no difficulty need arise. The only mistake which has been to be deprecated is, when the Bank made the fatal mistake of substituting for advances of capital, increased issues of notes."

No other person but myself adverted to the subject during those discussions. The probable demand in future quarters of this assistance was thus foreseen, and no expectations were held out that it would not be made; though, by equalizing the payment of the dividends, the probability was, that no excessive amount would be required. The time of requiring these advances may always be foreseen, and the Bank has ample time to make provision for them beforehand. I am ready to admit that it is very desirable to avoid making similar demands as much as possible, and that we should pay the dividends without requiring the aid of the Bank. With that view, I think it desirable

to hold out inducements to the contractors of the last loan, in order that by the instalments being paid up, the balances in the Exchequer may be such as to enable us to dispense with the assistance of the Bank. I believe that it will be good policy and good economy to ease the money market in any way we can. I shall always be glad to afford any reasonable facilities to the gentlemen who contracted the last loan. In consequence of circumstances which neither they nor the Government could foresee, it has not been a very good bargain for them. I believe it is no advantage to a Government in any of its departments to drive a hard bargain, for if it attempt that it is sure to pay for it in the end; and I believe it is equally opposed to the interest of both parties. Neither do I agree that this need necessarily entail any considerable loss upon the public. It is quite certain, that if trade comes to a stand-still, the revenue must inevitably suffer. Within the fortnight during which the panic prevailed, the receipts in the Customs and other branches of the revenue fell off; but matters have since resumed their usual course, and I am glad to hear to-day that they are in a much better condition—that the power which many persons have felt they had of obtaining loans on Exchequer-bills, has to a great extent obviated the necessity of making those loans; and that the demand upon the Bank for loans, even at the rate of 5 per cent, has been to a very much less amount than was anticipated at the time the announcement was made. I stated, on Friday, the amount which had been advanced by the Bank on that day; on Saturday and to-day no very great amount has been asked for, and in all respects the money market is easier. The price of stocks has to a small extent declined; but that has been partly owing to the rise of price of Exchequer-bills, compared with which they are rather lower then they otherwise would have been. The report I have to-day received from the Governor of the Bank of England is, that, upon the whole, things have been easier to-day; that there has been a very moderate demand for loans on Exchequer-bills; that there has been a further influx of gold from Holland, to the amount of 29,000*l.*; and that late news from America brings such advices with regard to the exchanges as to render the further export of gold from this country exceedingly improbable. I should be much more confident as to our future prospects but for the one circumstance of the rise in the price of corn. So far as the mere monetary pressure goes in London, I hope it is to a certain extent passing away; and I trust that, with renewed confidence in the City, confidence may be restored in the provinces, and that the check to trade which has been anticipated may not take place. It is, however, impossible to deny that the price of corn does constitute a most material cause of anxiety. It is right the House should know that the importation of corn goes on to an extent, I should have thought, perfectly sufficient to check any rise of price. A certain quantity of corn has been exported from this country: about 132,000 quarters were exported in the course of the last month; but in the same period we imported 432,000 quarters. In the week ending the 28th of April, the quantity of wheat and wheat flour, Indian corn and Indian corn meal, entered for home consumption was 200,034 quarters; and the entries of all descriptions of grain, amounted to 333,273 quarters; being equal to the food of 17,000,000 persons for a week. These importations are so considerable, that it might have been thought they would have checked the rise of prices. [Lord G. Bentinck: Are these the actual importations?] No; but the entries for home consumption. [An Hon. Member: What were the imports?] I cannot give you the imports of the different kinds of grain, but I can state that the imports of breadstuffs were about 196,000 quarters, and the diminution of the quantity in the warehouses during the week had been about 3,000 quarters. I do not know that I need state anything further on this subject. I will only add, that, since Friday night, I have determined to make a slight alteration in the terms of the payment of discount. I have this morning seen the contractors for the loan, and they represented to me that if they were forced to pay up their instalments within the time I named on Friday, it might have the effect of considerably depressing the price of stock, and would, of course deprive them of one of their great inducements to pay up the instalments; and they suggested that a further time should be afforded. I propose, therefore, to give them an inducement to pay up a portion of the loan before the 18th of June, and also a further inducement—but not at so high a rate of interest—to pay up the remainder of the loan before the October dividends become due. The right hon.

Baronet concluded by moving the following Resolution :—

"That every contributor towards the Loan of eight millions made in this present year, who shall pay into the Bank of England any sum of money on account of any future instalment of his contribution, on or before the eighteenth day of June next, shall be allowed an interest by way of discount, after the rate of five pounds per centum per annum; and every contributor who shall in like manner pay up any sum of money after the eighteenth day of June, on or before the tenth day of September next, shall be allowed an interest by way of discount, after the rate of four pounds per centum per annum, on the sum so advanced on account of any such instalment, to be computed from the day on which such payment shall be made, to the day on which such instalment would be due, in pursuance of the contract entered into for raising the said Loan."

MR. HUME considered that the right hon. Gentleman who had just addressed the House had given no satisfactory reason for the course he was pursuing. The right hon. Gentleman seemed to think that the course taken by capitalists, in placing their money in the hands of individuals, from whom they might have it at their call, was one of the circumstances which had produced the present pressure. Why, he had always supposed that one of the great advantages of banking would be to place disposable capital where it would be ready at command, and thus prevent the embarrassment that might result from fixed investments. The hon. Baronet had also attributed the pressure to the system of discount and re-discount; but he (Mr. Hume) wished to know what that had to do with the currency of the country? He certainly expected that the Chancellor of the Exchequer would have taken a review of the changes made in 1844 and subsequently; that he would have considered whether the anticipations then held out had been realized; and that, if they had not been realized, he would—as he possessed better means of obtaining information on the subject than any Member of that House—have given some explanation of the extraordinary pressure which had taken place. The right hon. Gentleman, however, had not taken this course, but had read a quotation from one of his own speeches, which certainly did not agree with his recollection; for he remembered that the right hon. Baronet opposite (Sir R. Peel) stated that the arrangements he had made for separating the bank of issue from the bank of deposit would place the currency of the country in quite a different situation from that in which it had previously been. He (Mr. Hume) considered that it was most wise and prudent to separate those two departments; but the great change which took place at the time he referred to was the fixing of the amount which the bank of issue should be at liberty to issue. Another great change then made was that which placed the Bank of England, with all its resources, exactly in the same situation in many respects with all other banks in any part of the country. The managers of the Bank of England had the full discretion of discounting or not, as they chose; and, whatever opinion might have been formed of the proceedings of the Bank within the last two or three months, he (Mr. Hume) could only say that its managers were bound, in conducting their business, to pay regard to the customers they had to deal with, and to the deposits placed in their hands; and they alone could be the judges of the extent to which they should go in discounting. On this ground, he (Mr. Hume) was not disposed to criticise the conduct of the Bank of England with regard to these transactions, because, unless they were conversant with the affairs of the Bank, and with the nature of its securities, it was utterly impossible for any individuals to form a correct opinion on the subject. He believed that the right hon. Baronet opposite (Sir R. Peel) never contemplated the dependence of the Government upon the Bank for advances; and when that right hon. Gentleman was in office he believed there was money enough in the Treasury, at any time for the payment of the dividends. He had always contended that the Bank of England ought not to be allowed to pay in notes, while other bankers were compelled to pay in bullion; and he had also objected to any connexion between the Government and the Bank of England. He considered that one of the first and most important duties of a Chancellor of the Exchequer was to see that the Government was able to pay the regular demands made upon it, without being obliged to apply to any man, or any body of men, for assistance. If this course had been pursued, he believed that the alarm and pressure which were now experienced would never have existed. He thought, therefore, that the Government ought not to be allowed to depend upon the Bank for advances to assist in the payment of the dividends. He thought that freedom ought to be allowed to any body of men to issue notes as they pleased, so long as they paid them in

gold; for his observations must be always understood as having reference to a bullion standard. If the right hon. Baronet the Member for Tamworth could not give a better explanation than had been given by the Chancellor of the Exchequer, of the present pressure, then that House had better consider whether a wrong course had not been entered upon, and whether it would not be advisable to retrace their steps. The question ought not to be allowed to remain in the present vague and unexplained state.

Mr. MASTERMAN did not rise to object to the proposition made by the right hon. the Chancellor of the Exchequer; but he could not anticipate that it would afford such a relief from the existing pressure as the right hon. Gentleman seemed to expect, or do anything to alleviate the uncomfortable feeling in the money market. It was well known in that House that he (Mr. Masterman) was one of the few who predicted that the right hon. Baronet the Member for Tamworth would find his Bill not available at all periods. The alarm which had been recently created, had, he was satisfied, arisen from the improper arrangement made by the Chancellor of the Exchequer. But he was of opinion that it was impossible for the Bank of England, under the existing Act, to come forward at those quarterly periods to advance two millions or three millions on deficiency bills, and at the same time do justice to the commercial community. He was satisfied that any assurance held out to the public that such demands would not be made on them in future, would do more to alleviate the existing pressure than anything else besides. He should therefore like to make a small addition to the Motion of the Chancellor of the Exchequer, because he wished an announcement to go forth from that House assuring the country that, if the Government wanted any assistance for the payment of the next quarterly dividends, it should be provided for in a different manner from that in which it had hitherto been provided. He would now read the proposal, which he desired to move by way of addition to the resolution of the Chancellor of the Exchequer, and he really thought that it would do more to relieve all present inconvenience than anything else. His proposed addition was to the following effect:—

"The Committee, however, are of opinion that nothing would tend so much to relieve the present pressure upon the money market as an assurance from the Chancellor of the Exchequer that he would apply to Parliament for powers to enable the Bank of England to make such advances as he may require for the payment of the July dividends out of the issue department of the Bank, instead of the banking department; such advances, of course, to be repaid out of the growing revenue, and the same regulation to apply to all future advances for the payment of dividends."

The CHAIRMAN intimated that it was not competent for the hon. Gentleman to move the proposed addition, because it did not apply to the matter referred to the Committee, which related to a proposed allowance, by way of discount, on the prompt payment of instalments of the loan.

Mr. MASTERMAN thought, nevertheless, that the two subjects were closely connected together.

Mr. BROWN said that, considering the constituency which he had the honour to represent, he could not let this opportunity pass over without laying before the House the total prostration of credit that now existed in Lancashire, which had brought the business of that section of the nation to nearly a dead lock. Hon. Gentlemen were probably aware, that when houses in Liverpool, London, or Glasgow, received imports from abroad, they were either drawn on by the houses shipping the produce, or by houses in Manchester or elsewhere, who had orders for British manufactures, in payment for them. At present the alarm and want of confidence were such, that orders for human food to the United States and other countries were, in many cases, countermanded, prudent houses not choosing to risk their credit by being drawn upon until they should see what steps Government might take to restore the healthy action of trade. Houses, also, in the manufacturing towns, found that bills on London or Liverpool, however good, could not in many cases be turned into money to pay their workmen. This very much decreased the exports and the means of bringing the exchanges in our favour; and it therefore followed that, placed in the situation we were in, we must either export gold or increase the distress that already existed in the country for want of food. It was a fallacy to say, as the Bank of England had 20,000,000*l.* out, the circulation was ample, when it was hoarded up, and not available for the healthy circulation of commercial enterprise: and he totally dissented from what had been stated, that there was more commercial paper offering for discount than usual. He believed there

was less, and, in its general character, for strictly legitimate commercial objects. It had been his duty to call on Ministers, the Bank of England, and the right hon. Baronet, Sir Robert Peel, frequently, in the course of the last ten days, with deputations, on this subject: they were always received with the utmost courtesy, but asked what remedy they had to suggest. They, however, considered it was the duty of the Government to provide a remedy, their object being to point out the state of the country, the number of mills that had stopped, the hands that were out of work, and the distress which the advance of provisions was increasing. The alarm, he had no doubt, arose from the famine and high price of food, the absorption of capital by the railways, the high price of cotton, and the Bill of the right hon. Baronet. Without discussing its merits, he thought there was the means of getting great relief without infringing its principles. There was believed to be from 30,000,000 to 40,000,000 of sovereigns in circulation; these he would replace by 1*l.* notes, putting a certain amount of them in the deposit bank, and investing the rest in Government securities. This latter portion could be made available for exportation and the purchase of food until the tide turned, when they could be called in, and the gold again be thrown into circulation. He did not suggest this on slight authority, as the late Mr. Huskisson stated to a friend of his (Mr. Brown's), now in London, that it was his desire to get sovereigns into use in place of 1*l.* notes, in order that if ever such a state came as that with which we were now afflicted, they might be the means of relieving us from embarrassment and difficulty. He seemed to have an intuitive foreknowledge of the very calamity that had occurred. He was much pleased to hear the right hon. Chancellor of the Exchequer say, he was willing to adopt any plan that would relieve the country from its difficulties. He did not mean to propose anything at present; but, as these discussions could not rest here, he hoped the right hon. Baronet would think of what he had suggested.

MR. NEWDEGATE said, he wished to say a few words, because in 1844 he had protested against the measure proposed by the right hon. Baronet (Sir R. Peel), and had predicted its failure—a prediction which, unhappily, had too soon been verified, for on its very first real trial the measure had failed. It was perfectly clear that it was quite unfit for periods of difficulty like this; and, among practical and experienced men, it was considered, as it had been termed in 1844, only a "fair-weather boat." He hoped that if any such plan as that suggested by the hon. Member who spoke last were ever adopted, that there would be no tampering with the system—no temporary issue of 1*l.* notes, without an ascertained and definite basis, as in 1823, to be followed, as in 1825, by a disastrous panic. Let anything that was determined upon, be done upon a sound basis, with the object of maintaining a circulation, not merely of staving off a difficulty. The right hon. Baronet (Sir R. Peel) had determined to prevent the Bank issuing upon its securities beyond the 14,000,000*l.* he had prescribed for it; but that was a limit purely arbitrary, and for which it would be difficult to assign an intelligible reason. The plain fact was, that a currency based only upon bullion could not possibly with the present standard be upheld. He (Mr. Newdegate) had no objection to the principle of the currency convertible into bullion; but he was satisfied that, with the present distribution of the bullion as apportioned by the standard, it was not possible to secure perfect convertibility. The right hon. Baronet always talked of convertibility being satisfactorily established by the Bill of 1819, whereas by the standard then enforced he had rendered perfect convertibility impossible. He supposed he should be asked his definition of a pound sterling. He had no difficulty in accepting the definition of the right hon. Baronet, and to say that it was a certain portion of the precious metals, with a mark upon it to denote the amount of that metal and its fineness. But that one word "certain," caused the real ambiguity of the definition; for the possibility of a truly metallic circulation turned upon this, namely, into what certain portions must the bullion be distributed, so as to secure a metallic circulation adequate to the wants of the community? Now he maintained that by the exclusion of silver, and the apportionment of gold into too large pieces, the right hon. Baronet the Member for Tamworth had rendered perfect convertibility impossible; and this was proved by the necessity of so large an issue on securities. How did the issues of the United Kingdom stand in this respect? The paper issues of the Bank of England, and the other banks of the three countries were, by the last accounts,

40,000,000*l.*, whereas the gold scarcely reached 16,000,000*l.*, proving they were not within 150 per cent of a truly metallic currency. The right hon. Baronet was fond of casting contumely on the opinions of those who differed with him on this subject; but there was great reason in their statement of the case, and there was this fundamental fallacy in the argument of the right hon. Baronet—he assumed the gold standard to be the ancient standard of the reign of Elizabeth; which was not the fact, for the standard of Elizabeth was silver. The Act of 1819 was based upon the principle of the ridiculous resolution proposed by Mr. Vansittart, that a 1*l.* note and 1*s.* were equal to a guinea; whereas it was well known they were 5*s.* or 6*s.* less in value. And the practical effect of the measure was, that pecuniary engagements contracted in a depreciated currency were rendered payable in a currency 20 or 25 per cent higher in value. The consequence was, that the pressure of every private and of the public debt was enhanced proportionably; and taking this additional pressure at only 10 per cent, this boasted Act of 1819, by its effect upon the national debt alone, imposed upon the people of this country an additional burden of 80,000,000*l.*; in fact, however, the increase had been much more than 10 per cent. The gold standard (as had been well shown by Lord Ashburton in his speech of 1844) was a new invention, not older than 1798. Previously to the Act of that year, a man could have paid 100*l.* in silver or gold; and if paid in silver, the value of which in 1844 was 5*s.* 2*d.* per ounce, the 100*l.* would have been, at that rate, paid by 95*l.* 6*s.* 8*d.* The Acts of 1798 and 1819, however, obliged a man to pay his debts in gold, which alone taxed the debtor to the extent of 4*l.* 13*s.* 4*d.* per cent beyond the debt he had contracted, owing to the different value of the precious metals, gold being in that proportion dearer than silver. The imposing of an enhanced standard upon the people of this country, forcing the people to deal in dear money, entered into the cost of production and added to it, thereby detracting from the profits of the agriculturist and of the manufacturer, and the earnings of the labourer. He had urged this question in that House and out of it, in private and in public. When he saw the right hon. Baronet the Member for Tamworth bring forward his great free-trade measure of last year, he told him that he maintained a monetary system adverse to that recommended by the greatest authorities on the question of free trade. The right hon. Baronet seemed determined to subject the producers of this country to a degree of competition greater than Adam Smith or Ricardo contemplated, knowing well that he had burdened them with a currency far more expensive and costly than those authorities ever contemplated. It had been said that the Act of 1819 might have been an injustice, but that those who suffered from it were dead—that their broken hearts had ceased to beat—that their children had sunk into a lower rank of life, and were content: but he knew that it was a fallacy to restrict the effects of that Act within so narrow a compass; and for these reasons, he (Mr. Newdegate) would maintain it was an axiom, that any measure which went to alter the value and the quantity of money in any country, could neither be partial nor temporary in its effect. It could not be partial, because money was the universal medium of exchange; and it could not be temporary, because money was the token of account. He would repeat, that the effect of any measure which permanently altered the currency, could neither be partial nor temporary in its effects; and if the House were told, as they had been by the right hon. Baronet himself, that the Bill of 1844 must be considered as the necessary complement of the measure of 1819; and if the result of that measure were, as had been stated by the hon. Member for Lancashire (Mr. Brown), that we must either modify the system, or starve the population, he trusted that when the House entered upon the consideration of the question, the inquiry would not be a partial one, but that there would be an efficient and a searching inquiry. The right hon. Baronet argued the other day that the amount of the standard of value could not determine the exchanges, and that it could not alter the effect of a drain of bullion; but from this opinion he (Mr. Newdegate) begged to differ, his conviction being, that if the currency were more diffused—if it were more ample—although it might still be based on a lower metallic standard, that any contraction which might occur would not be so severely felt by the producers in this country. Why, was it not clear, that if a convertible currency were ample, as ours might be rendered, that an abstraction of any proportion of it would be less felt than if it were, as it was, insuffi-

cient. Was it not easier to give from or to lose from their abundance than from their poverty, even if their gift or loss bore the same proportion to their all in the one case, and in the other? The real question, however, which had been raised that evening was, whether the Bank of England should be allowed to advance further on securities. The point seemed now to be, whether the sum of 14,000,000*l.*, which was allowed under the present system to be issued on securities, was sufficient; and he trusted, that if the result of inquiry should be to show that a further issue upon securities could be allowed, he hoped it would be a permanent increase of the power to issue on securities—a permanent relaxation of the currency. There was one subject raised during the discussion, which deserved to be seriously considered. The right hon. Baronet the Member for Tamworth—and he must refer to him because he was the author of these measures—had repeated over and over again the other evening, that the present pressure would not have occurred had the Directors of the Bank of England acted according to the spirit of the Act of 1844. Now, what was the spirit of that Act? Was it contained in the measure itself? The right hon. Baronet had assigned a definite principle for the issue department, which was to work according to a certain rule; but, to use the right hon. Baronet's words of 1844, "With respect to the banking business of the Bank, I propose that it should be governed on precisely the same principles as would regulate any other body dealing with Bank of England notes." Whence then did this spirit emanate? How was it to be defined? It was not in the Act of 1844, for that did not regulate the banking department; on the contrary, the banking department was told to mind its own business, and to look solely to its own interest, and yet it was of the non-observance of some principle by the banking department, of which the right hon. Baronet complained. He supposed that this spirit was the right hon. Baronet himself, and that it was he who was intended to rule the banking department: he (Mr. Newdegate) held that nothing could be more dangerous. Lord Monteagle, when speaking of the Act of 1844 in the House of Lords, had spoken most ably upon that point, and had called upon their Lordships never to consent, under any circumstances, to allow any Government or any Minister to have the management of the affairs of the Bank, either directly or indirectly; and he trusted that the warning then given by the noble Lord would have its effect. To subject the power of the Bank to any Government or any one individual, was to place the property of millions under his feet, subject to his caprice or his political bias. He must say he was not prepared the other evening to hear the right hon. Baronet declare that he expected the Bank directors to conform their practice to the wants of the country. Why, they had no alternative but to act as they had done; for in 1844 the right hon. Baronet stated that he expected the banking department should be governed on precisely the same principles as regulated any other body dealing with Bank of England notes. If the Bank directors understood what the spirit of the Bank Act was, he (Mr. Newdegate) was satisfied that they knew a great deal more than the House of Commons did. But it appeared from the right hon. Baronet's remark, that the Bank directors had not found it out yet. Well, now the right hon. Baronet declared he expected the directors to regulate their business with a view to the convenience of the country: this was contrary to what he had stated, both in 1844 and 1819. Sir Robert Peel declared in 1819, that "they, as a public body, must not be surprised to have their official conduct questioned; and that the House of Commons should, at least, doubt whether that was the institution, to the discretion of whose directors were or ought to be confided the pecuniary and commercial interests of the British community." "Whatever were their opinions, it was now the proper moment to relieve them (the directors) from the duty of attending to such concerns." Lord Grenville, in the House of Lords, spoke of the Bank directors as a body of individuals who took upon themselves, forsooth, the guardianship of the interests of the country; contemptuously remarking "that he wanted no such guardianship." If, after having for thirty years attempted to establish a self-acting principle which should relieve the Bank directors from the exercise of any discretionary power, the admission was now made that the Bank directors ought to have exercised a control through the banking department, with a view to the public safety, then he would assert that the object of the Acts of 1819 and of 1844 had failed, and that the self-acting principle upon which the right hon. Baronet's currency

system rested had proved futile. He did not think that that was the position in which the affairs of this great country should be placed; for existing circumstances proved that an Act like that of 1844 was not adapted to circumstances of difficulty. When the country found itself reduced to the alternative, as he believed it was at present, of reducing the circulation, which would cripple employment, in order to provide means of payment for imported corn, or of starving the population outright by ceasing to import; might he not express a hope that the noble Lord at the head of Her Majesty's Ministers would consider the subject with the anxious attention which its importance demanded? That noble Lord might be, to some extent, compromised himself; he might be still more so by his Colleagues; but he had the opportunity at his command of striking at the root of an evil, deeper and more ruinous in its tendency than any grievance which had been the subject of legislation for many years past; and if the noble Lord really loved his country, he would apply his mind to it. He (Mr. Newdegate) believed that the noble Lord upon due inquiry would find that the present monetary system lay at the root of the unequal distribution of property which was going on, and which was so generally complained of, and also that it was the fruitful cause of pauperism. And let him (Mr. Newdegate) ask the right hon. Baronet the Member for Tamworth, that if one of the main objects of his measure of 1844 was not to check speculation—let him ask him if speculation had not been as general, and carried to as great an extent, under the Act of 1844, as it had at any previous period? How could the right hon. Baronet say the measure had been successful? He would show what the state of the country was during the existence of a different system; and he thought he could not refer to a higher authority than the right hon. Baronet himself. When introducing his Bill of 1819, the right hon. Baronet used these words—and he (Mr. Newdegate) believed they conveyed a true representation:—

"The House should recollect, that in all the efforts which she had been called upon to make, England had preserved her faith inviolate. This feeling it was that prevented her from taxing the funded property of foreigners. This upright conduct it was that cheered the country in the hour of danger, and caused her to exult in the hour of victory, from a feeling that her dangers had been surmounted, and her victories gained without the slightest violation of her honour. This feeling it was that supported the country in that dark and dismal voyage through which she had gone; and now that they had reached the other shore in safety, let them not abandon the great principle which had been instrumental to their safety—let them not discard the guide by which they were led and protected. Let them adhere to that good faith in time of peace, and towards the public creditor, which they had practised in war, and towards the foreigners whose country was at war with them."

The right hon. Baronet had a right to say this. He had a right to say that this country had maintained her faith; and he might have added, that she had preserved the liberties of the world under a monetary system very different from the one about to be introduced during a period of unparalleled difficulty. Under the system which was then to be supplanted, there had been no succession of monetary difficulties; vast and successful exertions had been made to avert the danger which threatened the existence of the empire. Well, after thirty years' experience of the new system, the right hon. Baronet told the House, in 1844, when introducing his Banking Bill—

"But my gratification will be of a much higher and purer description than any satisfaction of a merely personal kind, if I should be fortunate enough to have contributed in any material degree to prevent a recurrence of those calamities which, at different intervals, have marked the last twenty years—such as the panics which occurred in 1826, 1834, and 1839. When I see the danger arising from the Bank of England having recourse to foreign establishments; when I look at the fluctuations which have taken place in our currency, defeating all the calculations upon which commercial enterprise could rest; when I look at the failures of joint-stock banks; when I remember the amount of the dividends paid; and when I know that the amount is no test of sufferings and anxieties of the humbler classes who have been connected with them; when I see joint-stock banks paying their dividends after long and tedious processes; when I remember the number of 10*l.* and 20*l.* shareholders; when I recollect the ruin they have occasioned—into the details of which I will not now enter; my gratification will be of the highest and purest kind, if I prevail on the House to adopt a measure that will give steadiness to the character of our resources, will inspire confidence in the circulating medium, diminish all inducements to fraudulent speculation and gambling, and insure its just reward to commercial enterprise, conducted with honesty and secured by prudence."

Now, could there be a stronger contrast than the description of the state of the country given by the right hon. Baronet in 1819, when supplanting Pitt's system, and that given in 1844, when remodelling his own system? Could there be a contrast more unfavourable to the system of 1819, or more to the credit of the ancient system

which preceded it? And now the right hon. Baronet, after telling us that the Act of 1844 was the necessary complement and inevitable consequence of the Act of 1819, tells us, that, come what may, we must adhere rigidly to this Act of 1844—an Act which had obliged the Chancellor of the Exchequer to discount his own loan that he might be enabled to keep faith with the public creditor—which had caused mills to stand still, not for want of orders, but for want of money—with the population on the verge of famine, and commercial engagements in so dead a lock that it seemed doubtful whether we could procure corn from abroad to feed our starving thousands. He would not longer detain the House; but he could not help saying, that he did feel a deep and sincere conviction that the period had arrived, when the monetary system must undergo a decided change. Could the House forget what occurred in 1823 and 1825, when the system of 1819 gave way, and 1*l.* notes were issued, when the Bank was on the verge of stopping payment, and the bullion was reduced to 600,000*l.* value in gold, and 420,000*l.* in silver; and when the Bank was obliged to go to a great private capitalist—Mr. Rothschild—to get the silver exchanged for gold? By that transaction alone, according to the evidence given by Mr. Ward, Mr. Rothschild gained 100,000*l.* Could it be forgotten that, in 1839, that had it not been for the assistance of the Bank of France, the Bank of England would have been obliged to stop payment? Could it be forgotten, also, that under an amendment of the Act of 1819, or under its complement, as it was called by its author, the aid of Russia had been required by the Bank, and that the people were actually on the verge of starvation, while nine millions of bullion were in the Bank coffers? He (Mr. Newdegate) would conclude by expressing his fervent hope, that whatever remedy might be applied, would not be of a temporary but of a permanent character.

MR. FORBES said, that his constituents had all expressed their wish to be relieved from the cruel oppression caused by the present monetary system. Since the Bill of 1819, the country had been suffering, and was still suffering, the greatest evils in connexion with it. He hoped, therefore, that Her Majesty's Government would see fit to interfere in the matter, and not bind themselves to the Act of the right hon. Baronet. He could not see why the Legislature should not interfere with the currency when their interference was needed, as well as they did with the corn law, when no such necessity existed. The pressure in Scotland at this moment was quite dreadful, and all practical men were satisfied that it would still continue for a long period. He therefore asked the House whether, having so completely introduced the principle of free trade in everything else, they should not also introduce it in money? And whether, having altered the Act of 1842, without repugnance, they should hesitate to alter that of 1844, if necessary?

MR. FINCH considered that the best currency would be paper, if there was never a balance of trade against this country; but its disadvantages were, that when such a state of things took place, they were obliged to put on the screw to get back the gold. It was from that circumstance that the periodical confiscations of property which were so frequently witnessed had taken place. The country was occasionally subject to a short harvest; and when that occurred the gold went out, and the screw had to be applied to get it back. Under the present system, trade was paralysed every year till they knew what the harvest was to be. The Currency Bill failed, therefore, in its great object, which was to facilitate the interchange of commodities. At the present moment we were threatened with starvation, because speculators dared not send for foreign corn. The manufacturers also were subjected to great inconvenience. A few days ago they were paying from 20 to 30 per cent for accommodation; and the first time there was a failure in the harvest this must occur again. The pressure was excessive. There was no chance of the price of corn falling, and it was the general impression out of doors that it would yet be higher. He hoped, therefore, the Government would take the matter into their most serious consideration.

LORD G. BENTINCK spoke as follows: Sir, I speak with great hesitation, in the presence of those who are far more able to speak on such a subject than myself, upon the question now before the House. My right hon. Friend the Chancellor of the Exchequer has said that he thought it good policy to ease the money market by any means in his power; but I confess that it seems to me that the propositions which he has laid before us with the view of easing the money market, are, at most, but very

helpless efforts towards such an object. The whole of his measures will go no further than merely to save himself, and will not give that ease to the trading and commercial interests of the country which they so much require. My right hon. Friend has told us that it is also good policy to place an additional burden on the country, rather than to bear severely on the trade and commerce of the nation. But, Sir, when he proposes to discount his own loans —when he tells us that he intends to discount the instalments that may be paid by the 18th of June at 5 per cent, he does not tell us that he has any substantial reason for assuming that the contractors for the loans will agree to discount at that price; and when we all know that not less than 7 or 8 per cent has been paid in the city of London, in Manchester, and in Liverpool for the best paper having no more than sixty days to run, I confess, for my own part, that I do not feel very sanguine that this temporizing method of my right hon. Friend will be successful, and that, after all, he may not again have to call upon the Bank of England to assist him in the payment of the next dividends. I must say, Sir, that I had hoped to have heard from my right hon. Friend that the Government had in contemplation some more substantial and efficient measure to ease the trade and commerce of the country. My right hon. Friend has said that things are easier in the money market than they were. Sir, I remember that my right hon. Friend told us on a former occasion that the worst had passed over; but, at present, I own I cannot see any very great improvement. True it may be that the repayment of the loan by France —true it may be that the payment for some of that corn which we have exported —may have brought back some of our gold into the coffers of the Bank of England; but when the price of corn is at its present amount—wheat having sold at 120*s.* a quarter this day—when the stocks in the hands of all parties are very low; when we consider that the exports last year fell off, as compared with the previous year, to the extent of 10,000,000*l.* sterling; that as measured by the official standard of value, lue, they fell off from 83,000,000*l.* to 73,000,000*l.*; whilst, at the same time, the imports of food were greater than on any former occasion—I, for one, do not see whence the confidence arises that in the natural course of trade, unassisted by legislative interference, you are to rely in a reasonable time for the return of bullion to this country. And now, with regard to cotton, it appears by the official returns that the importation of last year, as compared with that of the year before, was only 13,000,000*l.* sterling, against 23,000,000*l.* Here is, then, a falling-off of more than one-third in the importation of cotton; and yet whilst this falling-off shows that the stock of cotton is reduced by one-third, we have it on the assurance of writers in America — indeed, the price itself would tell us— that the sum of money paid for that reduced quantity of cotton, exceeds the sum paid for the larger quantities which were imported in the years 1844 and 1845 respectively. It therefore, Sir, appears to me, that whilst the price of wheat indicates that we import large quantities of corn, for which we pay a great price, we have no opportunity now, as we had before—as we had, for instance, in the years 1824, 1825, and 1826—we have no opportunity now, by selling, even at a depreciated rate, our large stocks of imports to bring back our gold into this country. No; your only chance is, under the present law, by continuing on that which is called the Bank screw. The first effect of raising the price of money and of refusing to discount bills will be, that orders for grain and provisions and cotton must be curtailed; and I must say, in the present state of the corn market, with the prospect of a late harvest, whilst, too, the greater portion of our granaries are empty, that it is a serious consideration whether it is safe for this country, in reference to its supply of food, that you should continue to adopt these measures of bringing back your gold by raising the rate of discount, especially if the necessary consequence must be to diminish your chances of a sufficient supply of corn. My right hon. Friend has said that the noble Lord at the head of the Government has adopted the most efficient course he could adopt, by giving notice of his intention to continue his temporary measures for the suspension of the duties on corn, and of the navigation laws. Why, Sir, under the old law, there would have been at present no duty at all. But my right hon. Friend says, that things have come better from America. It is true, that the exchange is 105½, while the par of exchange is between 108 and 109—it is true that the exchange is less against us than it was; but the reason, I apprehend, is this, that the late period at which the winter has

broken up in the United States has kept the inland navigation closed, so that the corn of the country will not arrive at the seaboard until the middle of this present month; and I hear to-day from Liverpool, that so overwhelmed is the freight market waiting for cargoes that it is hardly possible to charter a ship, whilst the freight has fallen at New York to 4*s.* 6*d.* per barrel, and fresh ships are in sight, coming into the bay. But the reason why freights fall is, that all the corn at the seaboard is exhausted, and there will be, for a time, a consequent cessation of payment for corn in this country; but, in proportion as the time of payment is postponed, the price will rise, and the result of this will be that a still larger amount of bullion will be required than was before expected, although it may be at a later period of the year. And the same argument applies to all other provisions. I fear that among the many disasters which have befallen Ireland, it is not one of the least that, in the course of the past calamitous winter, the Irish people have killed a great portion of their store of pigs and poultry. I saw a return the other day which stated that in Cork market during the last season, *i. e.*, I believe, in October and November last, no fewer than 15,000 dead pigs were sold against 3,000 in 1845, and 2,700 in 1844; and from this I gather that the prospect of a supply of provisions from Ireland is but a very poor one—that the supply is nearly exhausted —and that we shall, in this respect, also, require larger supplies from abroad. But, looking at all stocks of every description, I feel that justice is only done to the manufacturers of this country when we are told that trade is in a sound state. It is not the fault of the merchants—they cannot be told that it is owing to over-speculation; for, with the exception perhaps of tea, and, to a very small extent, of sugar, the stocks of all sorts of produce, foreign or colonial, are low in this country. Neither can the manufacturers be charged, on the other hand, with having worked their mills full time; for, in Lancashire, out of 1,061 mills, there are short time, or wholly closed, 728; and out of 226,000 workmen, upwards of 100,000 are working short time, while 23,000 are wholly out of employment. Unless, then, you do something to ease the money market, you must have great distress arising from want of employment on the part of the operatives in the manufacturing districts. The market has no produce here by the sale of which it would be possible to induce the gold to come back, whilst I apprehend such does not apply to the stocks of British manufacturers abroad. Therefore, I see no prospect of any early return of our gold to this country. Well, then, if that be so, is it not trifling to come down with these temporising measures, and offer no relief to the money market and trade of the country? We have at the present time all the manufacturers suffering; and all the railway companies also, if money continue at 8 per cent, will curtail their operations, and stop all the contracts they can—and then you will have, in addition to the manufacturing operatives, the railway labourers out of employment; and after them will come the miners of Staffordshire and Wales. What, then, is the state of the case? The difficulty is not that the Bank of England has been overtrading any more than the merchants. When the Bank Charter Act passed—for which I voted—it was contemplated that the Bank should issue notes to the full amount of its bullion; and the right hon. Baronet (Sir R. Peel) himself contemplated that the circulation of the Bank of England notes might rise to 28,000,000*l.* or 30,000,000*l.*, whilst all the promoters of the measure intimated their opinion that its ordinary circulation, in prosperous times, would amount to 24,000,000*l.* But it has never exceeded 21,400,000*l.* in the amount of its issues; and it is unfair to charge on the Bank of England any conduct different from that which the promoters of the measure themselves intimated to the directors of the Bank they should pursue. In what position, then, are we now? It is this—that whilst the Bank coffers are crammed with gold and silver, the Bank itself has been—under the restriction of this Act—very nearly stopping payment—and that a house of highest credit—men that could pay 80*s.* or 90*s.* in the pound—is in this position, that unless something be done to set credit and money free, four weeks will not elapse before it may stop payment. Such, indeed, is the position of affairs, that, with an unmixed standard of gold, I am assured that a great house in this city, with 60,000*l.* of silver bullion in its possession, has been unable to raise money upon it. Can anything, then, be more monstrous than that a man should not be able to pay his way with 60,000*l.* of that metal in his possession, which is the money of all the world except England, and, I believe, Portugal? I assure the House I have heard

this on such authority that I cannot doubt the statement. Well, then, Sir, we are in this position, that all the trade of the country, whether export or import, is, as has been stated by the hon. Gentleman the Member for Lancashire this night, brought to a dead lock for want of money; and this whilst the credit of the mercantile and manufacturing community is good, whilst the credit of the Bank is good, and whilst her coffers are full of bullion, but of bullion which your Bank Charter Act forbids her to touch. Does not then the common-sense way to get out of this difficulty appear to be this—to remove this restriction on credit, that is starving and destroying the trade of this country — and that will soon starve the people of this country? For if my argument be worth anything, that the contraction of credit will make it necessary to withdraw orders for provisions from America, I am only speaking literally, when I say that the effect of this will be that three months may not elapse without the country not finding a sufficiency of food for the population. There is food enough in the world if credit were set free; but we shall be in the position of starving the bellies of the people, in order that we may feed with gold this idol of yours, the Bank Charter Act. If, then, that be the obstacle in the way of your trade, and if it is clear that free trade and a restrictive currency cannot work together, for God's sake, and for the sake of humanity, let us be quick in repealing these obnoxious measures. I well remember that Mr. O'Connell said, not long since, when speaking of supplies for the people of Ireland, that "rapidity of action was the essence of humanity and of political sagacity." I agreed with him in that opinion. You have seen the fatal effects of leaving the people of Ireland to supply themselves. Take warning by the fatal consequences that have followed your course in Ireland, and now have recourse, not to temporising measures, but to "rapidity of action," and believe that in such "rapidity of action" now will be found the "essence of humanity and political sagacity." Let but the trade of this country once receive a fatal check, and you know not where it may stop. It is apprehension, it is true, just now; but this apprehension may, in the course of a few weeks more, be turned to reality. I am told that there is in Lancashire one great house, whose solvency is above all question, and yet which, unless something be done to bring credit into operation, will be in the situation of stopping payment; and I understand that if that house stop payment, with it will fall no less than thirty other firms. Let bankruptcies once begin, and the whole credit and commerce of the country will go down like a pack of cards; and therefore it is that I call upon my right hon. Friend the Chancellor of the Exchequer and upon the noble Lord (Lord J. Russell) to look to the great interests of the trade of the country; to remember that the present difficulty is not limited to cotton speculators—that it is not limited to railway proprietors; but that those who are walking in the steadiest manner, in the legitimate course of trade, whether it be with the East Indies or with the United States, or with the West Indies, or elsewhere, will be immersed in one common ruin. You have tried this measure — you see you cannot have free trade—and that you cannot encourage unusual importations, not only of corn and provisions, but of foreign sugar or foreign manufactures, without paying for them in gold. You promised that foreign countries would take your manufactures in return for what they sent you—and God grant it may be so!—but the time has not yet come when any very strong indication of it is perceptible. I fear, indeed, that the only indication we have is, that the late elections in the United States induce us to believe that the tariff from which the Americans raise the greater portion of their revenue, is not so likely to be relaxed as to be restricted; and that, as America is receiving more gold for the reduced amount of cotton with which she has supplied us, than she formerly received for the larger quantity she furnished, and receiving English gold wherewith to carry on her Mexican war, she will not relax that system which has contributed to bring this country to such a crisis. And as regards Russia again—Russia, of whom it was said she could not go to war for want of money, and without the aid of the Barings and the Rothschilds—why, she is herself obliged to come to the help of Western Europe, and I do not think there is much prospect that Russia will speedily change her policy or reduce her tariff; whilst Prussia—that country of which last year it was said, she was already "shaken," has actually raised her tariff on all our manufactures. It seems to me, therefore, that any expectation on our part that we can recover our gold by any early change in the commer-

cial policy of these countries from which we take their produce, is but a very faint and slender expectation; and I do trust, then, that, under these circumstances, her Majesty's Government will condescend to copy the example of great Ministers that have preceded them; and that when they find the trade and commerce of the country unable to move in consequence of your monetary regulations, they will come forward, as Mr. Pitt and Lord Liverpool did before them, not only to take off this mischievous restriction on the operations of the Bank; but also, with advances of Exchequer Bills, to set the trade of the country at liberty. You have tried this Bank Charter Bill, and it was harmless so long as it came not into operation; and yet it is a measure of a description which involves great danger, if, under certain circumstances, such as the present, you persevere in maintaining it. The right hon. Baronet said, and I was delighted to hear him say so, "that he had no parental affection for that measure which would induce him to maintain it after he should be persuaded it was not for the benefit of the country." I think he must see that it was not successful in preventing great speculation in this country. Happily that speculation was of a nature which led to the employment of money and labour at home; but, so far as speculation is concerned, it never run riot more uncontrollably than in the year 1845. And now that another change has come—now that we have had bad harvests and short cotton and hemp crops, and limited supplies of tallow and such like productions have succeeded—it is perfectly clear the Bill will have a most disastrous operation. And when it is recollected that, amongst other operations of the Bill, every sovereign drawn from the country not only withdraws a bank-note at its back, but also that we are getting near that verge when silver under the Bank Charter Act will not be sufficient to represent notes, I think that it is high time to consider whether we had better not suspend that Bank Charter Act. I think I am correct in stating, that while silver is not the legal standard of this realm above 40*s*., the Bank is entitled to count it as part of their bullion, but only to the extent of one-fourth of the gold in its coffers. We are not told what the proportions of gold and silver coin are in the returns of bullion; but, referring to the issue department, we find that there is of gold 7,120,000*l*., and of silver 1,429,134*l*. We may therefore calculate that there is only a margin of 356,867*l*. of gold over and above that amount which can be represented by silver; that is to say, that after 350,000*l*. more is drained from this country, then not only the bank notes must be withdrawn, but silver must cease to count as a basis of note circulation. Well, then, supposing there should be a drain to the amount of 716,536*l*. of gold, the effect would be that it would neutralise 179,134*l*. of silver, on which the Bank, so long as it has gold to the amount of four times its silver, would be entitled to issue notes. If the drain continues, and the amount of gold is reduced to 4,000,000*l*., out of that 4,000,000*l*. there would be 1,000,000*l*. only which would be available for the issue of notes; so that we are getting very near the verge, when the Bank Charter Bill will be more restrictive in its operation than it is at present—when silver, not being the legal standard, will be not available for any purposes further than those of commerce. We saw in former times, in 1793, when the trade of the country was in difficulties, Mr. Pitt issued 5,000,000*l*. of Exchequer-bills, and that pressure was at once relieved; and so, at various times in the course of the French war, the same process was resorted to. In 1816, when I think there were no less than 2,000 bankruptcies, the Government of that day came forward and postponed the hour of a return to cash payments, and instantly prosperity was restored. And when the Bill passed in 1819, and again restricted the currency, there was the same distress; we then got out of the difficulty by an issue of 1*l*. and 2*l*. notes. So in 1825 and 1826, when Mr. Huskisson said we were within four-and-twenty hours of barter, the Bank of England happily discovered a million of 1*l*. notes, which served the purposes of the trade of the country; because, though it is true that bank notes are not available for the payment of foreign accounts, they are perfectly available at home, and a supply of bank notes would set at liberty a great part of the thirty-five or forty millions of sovereigns which are supposed to be in circulation in the form of what is called the "small change" of the country. I was speaking of credit, and the way in which it would be affected by a repeal of the Bank Charter Act, and I will give an instance of the effect of credit. Lately the Bank of France and the trade of France was very much in the same predicament as that in which we now are; the

Bank of France then succeeded in obtaining a loan of 800,000*l.* from this country. Well, no sooner was it known that the Bank had obtained that amount of bullion from this country than confidence was restored, and trade revived so much, that the Bank of France was enabled to forego the demand of the whole of that sum. The last instalment of 200,000*l.* never left this country. That shows how all turns on credit. Set the Bank of England free, and confidence will be at once restored, and they will cease to have these urgent demands for discounts. We have tried this Bank Charter Bill now for three years, and having found it to fail, reason points out to us that we should not persevere in maintaining it. I think that as we have found that this is a tree which has not borne good fruit, we should follow the example of a certain man in the parable, who had a fig-tree in his vineyard which brought forth no fruit, who said to the keeper of his vineyard, "Behold, these three years have I come, seeking fruit and finding none; cut it down, why cumbereth it the ground?"

Mr. CARDWELL: If I thought the present a proper occasion for importing into the discussion of this question a party character, I do not think I could help making merry with the concluding paragraph of the noble Lord's observations. I would congratulate him on the discovery he has made, that when a great measure, which has been passed for three years, has remained practically inoperative during that period, and under peculiarly adverse circumstances has suddenly become operative, it is right and proper for its promoters to abandon it. The time has arrived, in the judgment of the noble Lord, who voted for the Bank Charter Bill, at which even the advocates and supporters of that Bill may without any disparagement to their consistency, come forward and vote for its repeal. But I do not think the present is the time for inculpations of this nature; and the few observations which I shall venture to address to you, I hope I shall offer with all respect for the House and the noble Lord, in perfect soberness and earnestness. In that spirit the noble Lord will allow me to say that those who heard the premises with which he introduced his speech, must have been greatly disappointed with the conclusions at which he arrived. I listened to the early paragraphs of the noble Lord's speech with great satisfaction. I heard him tell the House that wheat was 120*s.* the quarter; that stocks, both of our own produce and foreign produce exportable were low; that the price of cotton had unfortunately risen very high; and I heard him go on and say that he saw no reason why the present pressure should be temporary; and that if for a temporary purpose you did encourage foreign importation and domestic consumption here, then the state of things would justify the belief that you must infallibly have to pay for it in the end. These were the premises with which he started; and since, unfortunately, these things were true, I confess I heard them put in the foreground of his speech with very great satisfaction, because I thought they would bring him to a sound and legitimate conclusion. But all his premises have been addressed to the real gist of the question—the great pressure upon us in reference to the amount of our capital, forming the effective and substantial means we have in our power; whilst all his remedies are directed to a totally different subject—the regulation of our currency. I wish those who speak so freely as to the regulation of our currency would consider for a moment what the function is which that currency performs in the commercial world. I believe they will find this to be the fact; let them manage the arrangement of that currency how they will, they can never extract any artificial advantage from that arrangement. Let the Bank fail to manage it soundly, and those derangements which an unfortunate state of trade produces are most grievously aggravated, and their intensity heightened by any mal-arrangement of the currency. Adam Smith likens it to the operation of a wheel, which creates nothing in itself, but carries round in regular course that which has been created; and it is this doctrine of Smith that those who wish to effect a different arrangement are so fond of relying on. But let them consider to what this illustration carries them. The currency may perform its functions accurately or inaccurately. If accurately, then, when trade and commerce are disturbed and confidence is shaken, the circulating medium will be proportionally contracted; you will economise when the pressure begins, and you will never have to feel its utmost intensity at last. But if the currency act irregularly, it will appear to give you abundance when in reality there is scarcity before you; you will not use economy in the outset, because you will be misled by an erroneous currency to believe there is abundance; the want of economy

at first will ultimately diminish the supplies you have at command; and then at the end will indeed come upon you the real intensity of the pressure, and the currency will have aggravated the wants which the real exigency of the crisis has brought upon you. What are the real causes of the pressure that is now felt? Are they far to seek? Has not everybody who has spoken alluded to them? Not long ago, by the blessing of God, we enjoyed good harvests, and were in a state of very great prosperity. This country undertook, I think in an intoxication caused by that prosperity, to execute far larger works than this or any other country was capable of accomplishing in the time. It was a very little thing to embark the small per-centage required in the first instance; but before your great works were completed, you had great exertions to make, and an arduous task to confront. Whilst you are in the act of performing this, before you yet feel the pressure severely, what comes upon you? One of the greatest calamities that ever afflicted any country in the world; one which the noble Lord at the head of the Government told us revived in the present day the mournful recollections of the Middle Ages. Cast as you were into this calamity, what did you do? It becomes me not to speak in terms of any great disrespect of the persons who manage the great establishment to which so many allusions have been made; but perhaps I may be permitted to say that it would have been more fortunate if the alarm had been taken earlier in that quarter. I do not think it inconsistent with the respect I feel for them to say, that if they had seen earlier that the contraction was begun, more fortunate results would have ensued. I dare to speak in this same spirit of the operations of the right hon. Gentleman opposite; I hope he will not think me wrong to say that, while the country was labouring under the combined results of its own intoxication, and a great restriction of circulation, when he saw that the Bank had not contracted its issues on the first moment of danger, it would have been fortunate if he had not found it necessary to demand from the Bank of England a considerable assistance at the instant when they were sustaining, from other reasons, great pressure. As regards the currency more immediately, every one will admit that there are two duties, and two only, to be expected from it: the first, truthfulness of standard; the second, and a very subordinate one, economy of application. With respect to the truthfulness of the standard, you adopted in 1844 a measure which was expressly stated to be only the complement of the measure of 1819. That measure of 1819 secured to you the right of converting your bank notes into gold, but failed in securing you absolute convertibility; for you found by experience that where great and general inducements were offered, the temptation to let out at the moment was too great for individual prudence to resist, and that very thing was done which high authorities have asked the House to do to-night—the circulation was increased, when, upon the ordinary sound principles of currency, it ought to have been diminished. It is a mistake, then, to say that there was any new principle in the Bill of 1844; its principle was to give you in practical effect that to which you had a legal and undisputed right under the Bill of 1819. The first effect of the Bill of 1844 was to produce some considerable drain of gold from the coffers of the Bank of England, which was not exported to foreign countries, but distributed in the coffers of private bankers and others in Scotland, Ireland, and the country districts of England. We are now told that the Bill has been inoperative, but that is not so; it has saturated the country with gold, where otherwise it would have been filled with country notes—no doubt with some sacrifice of economy. But did our trade languish because there was more gold, and our currency was maintained at a greater expense? Not at all; our trade was never more prosperous. Why have you had the command of all the granaries of the world? Why, in a time of famine and of unexampled pressure, have there hitherto been no failures? Why has our trade been in a comparatively sound state? Because the Bill was operative during those two years. Now we are told that the Bill had been found to do mischief, because it contracted the circulation; and in the next breath we are told that the circulation was never very considerably affected: that it was now 20,000,000*l.*, and the maximum 21,500,000*l.* Another Gentleman said that there is no confidence. How do you propose to increase confidence? Do you think that announcing to the world that Government had made arrangements with the Bank of England, and that they are going to tamper, in a time of distress, with that which had served in a time of prosperity, will create confidence? I believe that it would create distrust and alarm to an extent

of which few can form an idea. If you make the alteration, will the foreigner be content? The argument stated is, as there are bank notes at home, you will very easily be able to send your gold abroad. What do you propose to do? By increasing the total amount of money in circulation, to raise at home the price of all the articles in the market. What is the way to avoid a drain of gold? Why, to pay with other things, and not with gold. And how are you to do that unless you induce the foreigner to take those things, and not gold? And how are you to induce him, if, by sending four additional millions of bank notes into the market, you raised in this market the price of every article? I am astonished to hear this doctrine here to-night. We need not disguise the fact. It is not agreeable to reduce prices, and let a foreigner have a thing for 180*l.*, or 150*l.*, or 120*l.* which is worth 200*l.* We must pay, however, for what is imported; if not in gold, we must induce the foreigner to take other articles. How does your Currency Law apply to this? There are 35,000,000 sovereigns and bullion in the Bank of England. If we reduce the circulating medium of the country, every sovereign abstracted from the circulating medium will tend to raise the price of money, and depress the price of commodities. It tends to induce the exportability of other things, and to prevent gold from going out. When this measure passed in 1844, we were plainly told how, in a time of prosperity, it would saturate the country with gold; and I agree with the hon. Member for South Lancashire, whose opinion is deserving of much respect, that the opinion attributed to Mr. Huskisson must have been that by thus saturating your country with gold in a time of prosperity, you would have gold which you could export when a time of adversity arrived; but Mr. Huskisson never meant to say that when the necessity for importing corn—that necessary of life which, at all hazards, you must have—arrived, he would tamper with the currency—that for every guinea that went out for corn, he would provide a paper guinea—and keep up the tendency for other guineas to go, and diminish the tendency for other articles to go. This brings me to the suggestion of the hon. Member for South Lancashire, who proposes, as there is a large part of the circulation in gold, that Government shall call in the gold, send a part abroad, and retain part in the coffers of the Bank, to secure the convertibility of the rest. The hon. Member must excuse me if I point out another great fallacy. It is argued from experience, that a certain amount of gold in the till of the banker is enough to answer a certain amount of liabilities in circulation, and it is supposed that you have only got to take all the circulation of the country, and lock up a third part in the coffers of the Bank, and you may, without the least objection, issue the other two-thirds; and it is assumed that the experience of bankers proves this point. It proves no such thing. What it proves is this—that the circulation of the country being in a healthy state, gold being in the hands of private individuals, small traders, and dealers, throughout the country, one-third will be sufficient to answer the probable demands on the Bank. The noble Lord who has last sat down, who said that the pressure was only temporary, was the most strenuous in exhorting the House to attempt an alteration in the currency. If it is to be permanent, for every departure from sound principle of which we now attempt to be guilty, we shall have a double penalty to pay on some future occasion. Why, knowing what the pressure now is, we should be disposed to run ourselves into double danger, the noble Lord has not stated anything which deserves to be dignified with the title of an argument. I will briefly recapitulate my arguments. Our misfortunes or our prosperity depend not upon currency, but upon the amount of our capital; and our currency represents our capital, correctly or incorrectly, according as it is a good currency or a bad one. If it represent it correctly, which is the most favourable condition of things, then we shall always have to suffer such misfortunes as any pressure on our capital may create; if it represent it incorrectly, then we shall have to suffer such calamities besides as the aggravation of circumstances might cause—the original evil of pressure upon our capital, and the additional evil of derangement of our currency. Truthfulness is the first object of currency—economy only the second. In a time of prosperity, with experience before us, we settled a scale of currency, and the amount of the issues of the Bank. The effect of the Bill has been to saturate the country with gold, without pressing on the energies of trade. We are now called upon, under the pressure of distress, to tamper with the currency—we are told we cannot rely upon the pressure being temporary. We know, however, that if we depart from

principle, we shall have to pay for it. We have no reason for believing that the time when we have to make a double payment will be favourable; on the contrary, there is every reason to believe that the mischief will be greatly aggravated. We are required, I think, to say to the people, "We call upon you to accommodate yourselves to the necessity of the position in which Providence has placed you. You have been afflicted with scarcity—you must practise economy—corn you must have, and corn you must pay for. You must pay for it in gold, and the gold must contract the currency until there is a temptation to the foreigner sufficient to induce him to deal with you in other articles. Then the drain on your gold will cease; and above all, considering the clouds that frown upon you, you must not dare—great as the present danger is—to face the far greater danger which in this state of the country a departure from sound principle would most certainly bring about.

MR. T. BARING could not agree with his hon. Friend the Member for Clitheroe, that the distress under which the commercial body throughout the kingdom were now labouring, proceeded entirely from the effects of large importations of corn, the results of railway speculation, or the mismanagement of the Bank; nor could he agree with his hon. Friend in the conclusion he sought to establish, that no new principle had been introduced by the Bank Charter Act of 1844, for that it was to that measure we owed the influx of gold into this country. At other periods it was well known that large importations of corn had taken place without their being followed by similar disastrous consequences. In 1839 and 1840 there had been large imports; but the commercial community had then the means of meeting their engagements, and there was not that excess of anxiety which now existed. Other countries had much wanted corn, and had imported it to a great extent. The wants of France, for example, had been great; but still she was not in that state of financial difficulty which was experienced in this country. It was true that there was a larger metallic currency in France as compared with the paper currency, being 30,000,000*l.* of the first, to 15,000,000*l.* of the latter; while we had 30,000,000*l.* of paper, against upwards of 20,000,000*l.* gold. But the question was this: had the Bank of France, in the difficulties of that country, refused those facilities of commerce which the Bank of England had lately refused, and been obliged to refuse? The Bank of France had not. With regard to speculations in railways, he was one of those who thought that operations of that kind had been carried too far. With all the advantages that railways lent to the country in the development of the national resources, still it was impossible not to see that when a great amount of capital was abstracted from the usual channels, and devoted to some one particular purpose, as long as the money market remained favourable, the investment was as transferable as bank notes; but when once a turn took place in the market, those who had invested their money in those securities found them totally unavailable. Still there had been other times when speculation ran high; and yet there had not been that total want of means upon even the best possible security to meet the pressing engagements of the day which had lately been experienced. The right hon. Gentleman had hinted that the Bank had a little mismanaged matters; and that the Bank Act had not been exactly worked as it ought to have been by the Bank. If he understood the Act of 1844, it was that Bank notes were to be issued as gold came in; and if the Bank had upon that principle issued last year four or five millions more notes, as it might have done, then when a drain came, instead of withdrawing seven millions, there would have been a withdrawal of eleven or twelve millions. He did not mean to say that the reduction of interest in August was not an unwise step. He believed it was; but at the same time it was a step which it was competent for the Bank to take, according to the terms of the charter. His right hon. Friend had said that the Bank ought early in the year to have raised the rate of interest; but his right hon. Friend should recollect that when he brought forward his budget in February, his right hon. Friend stated, amongst other favourable circumstances, that he was gratified and surprised to find that the whole importation of corn, which had been above 5,000,000 quarters, had not reduced the bullion of the Bank when compared with February, 1846, to a greater amount than rather above a million sterling. Why, then, was the Bank bound by its own act to make money so much dearer? It was no want of discretion on the part of the Bank which had produced a pressure totally unparalleled since 1825. He believed that without a limit on the

power of the Bank, a smaller amount of notes might have sufficed. With respect to the Bill of 1844, he had felt incapable of giving a general opinion on its results; but he had ventured to express the belief that it was a bold experiment, but at the same time acknowledging, as he had done, that inconveniences then existed; and looking to the high authority from which the measure had proceeded, he had felt disposed to give it a fair trial. He had not felt prepared to predict what would be the consequences of the Bill; he did not know that he should have been ever able to answer the question put by the right hon. Baronet the Member for Tamworth, "What is a pound?" but this much he could say, that having for a long time been engaged in commercial affairs, and having rather attentively considered them, he could state what facts were; and he knew that for ten days there was a total want of the means of obtaining accommodation by the most solvent houses upon the most undoubted security, and that because the Bank of England by its charter was unable to afford it; and he knew that it was impossible to raise a penny upon 60,000*l.* worth of silver—a precious metal which was a legal tender in most parts of the civilized world. Parties who imported silver had money to pay; and the owners of silver came to the Bank to sell, and the Bank refused to buy. It was not a question of price with the Bank, but a question affecting its own safety. The Bank could only issue notes upon silver to the extent of one-fifth the bullion in the Bank. But it might be said, "Why not ship the metal to Paris or Hamburg, and draw against it?" But no one had money wherewith to take a bill of exchange. Then it might be said, "Send it, and get returns for it." But suppose that bills having a fortnight to run were sent in return to London, they would be refused discount. If such proceedings on the part of this country were not productive of so much inconvenience, they would be held up to ridicule by foreign countries. Was the case he had mentioned a satisfactory proof of the operation of the Bank Charter Act? He thought a discretionary power ought to have been left either with the Government, or that the House would in its wisdom modify the Bill when necessary. He was ready to allow that the Bill had worked well during the three years of prosperity in which it had been in operation, and that it had prevented any excessive issue on the part of the country banks. But when it came to a drain of gold to meet an unavoidable want, there ought to be some means of avoiding measures by which the commerce of the country would be dislocated. The commerce of this country was carried on upon a system of credit; and if they brought it to a ready-money system they paralysed trade in the manufacturing districts. What was required was to give facilities to exports, in order to pay for the corn in manufactured goods, because the houses in Manchester could not carry on their trade upon four months' bills which when carried into Lombard-street were no better than bits of blotting paper. Would not the manufacturers rather have cheap money than cheap cotton? Cotton was dear all over the world, and they shared the high price with their foreign rivals; but the low rate of interest on money was one of the great advantages in favour of the English manufactures. When they made the interest of money 3 per cent in August, and 13 per cent in April, they made trade the greatest lottery in the world. Something had been said about speculation in cotton; but it must be remembered that it was founded upon a deficiency of cotton. Now, if our manufacturers had large and accumulated stocks of everything, then, by making money dear, they might be forced to export and sell their goods. But it was not so, on the showing of the Chancellor of the Exchequer himself. There had been no overtrading; the manufacturers had shown a sound and careful discretion, and yet it was that part of the community which was to suffer. The Bank might have mismanaged its affairs; the right hon. Gentleman had certainly mismanaged his; but the sound and careful commercial interest was to suffer, and the calamity was to be met by fettering commerce and by paralysing Manchester and Liverpool. Could the mercantile interest carry on the export trade, which must be carried on by credit, when all accommodation was refused them? Or did the right hon. Gentleman think he could secure the revenue and the prosperity of the country by a system which carried commercial affairs to a liquidation? Hitherto there had been a real pressure, but not yet a panic. But there might be a panic if credit were still refused. Hitherto there had not been a whisper of discredit against the commercial body. But the House must not fancy that their resources had not been disturbed,

and that great sacrifices had not been made to meet difficulties which had not been of their own creation. It was highly desirable to know how a sudden drain could be met without a sudden depreciation of the property of the country. The country had exported, say 7,000,000*l.* in gold, and the property of the country had been depreciated 100,000,000*l.* in value. It was clear that this sudden drain could not be paid in manufactures immediately; it should therefore be spread over a longer term. They would pay for the corn in manufactures, but not all at once. He considered that they either ought to say that a discretion should be placed somewhere, or that in a case like the present, when there was a great emergency, the Bank should have a greater liberty of using its securities for issues of notes. He believed that if the Bank of England was willing to advance half a million of money to-day, it might do so, and thus liquidate private accounts, and yet find half a million in its deposits, with only a change from one deposit account to another. The right hon. the Chancellor of the Exchequer had stated that the present pressure had in no degree been occasioned by the operations of the Government. He was not actuated by any factious motive towards the Government, and he was still less disposed to attribute to them any share in producing the present financial difficulties beyond that of having supported measures which had led to or increased those difficulties. He was quite ready to allow that the system followed by their predecessors, which had been resorted to in the years of prosperity, of taking off duty after duty, on the supposition that an increase in the amount of duty paid would compensate for their loss, was very successful during such a period; but it did not allow any possibility of meeting a time of adversity without placing the Government in the situation in which they now were. Such a system rendered it necessary for the Government, unless it retraced its steps, either to contract a loan or to increase direct taxation; or, it might be, to resort to both those measures. The rule that two and two did not always make four, might be sometimes correct; but they had been going upon the principle that if two were taken from two, there always remained four. The Chancellor of the Exchequer had said that he had nothing to do with the present pressure—that he had only taken his usual advance from the Bank. He begged to remind the right hon. Gentleman that he had not mentioned his want of advances from the Bank upon deficiency bills; that he had not led the public—and certainly he had not led the loan contractors—to suppose that he would want any deficiency bills. On the contrary, the statement of the right hon. Baronet (the Chancellor of the Exchequer) was, "I want 8,000,000*l.*; I will not give any discount; I want 1,000,000*l.* each month, and I don't require it sooner or later." He certainly left the room, after the right hon. Gentleman had made that statement, under the impression that if the Government would not give the same rate of interest which they would have to give for deficiency bills, they would not want any deficiency bills. The right hon. Gentleman, therefore, certainly did not lead the public to expect—what he (the Chancellor of the Exchequer) stated he had given notice of to the Bank—that he would require the ordinary amount of deficiency bills. He was aware that the loan contractors were not likely to find much sympathy from that House or from the public, and he did not think they needed it. He considered, however, that under the circumstances which, from the conduct of the right hon. Gentleman (the Chancellor of the Exchequer) he believed to exist, although it was not a very lucrative affair, the price given was a fair one on both sides. The right hon. Baronet had stated that he thought this was a measure which would benefit the public. Undoubtedly if it benefited national credit and the funds, it would be an advantage to the public so long as the Bank was able to afford them the usual facilities. He trusted that the Bank might be able to afford those facilities; but if there was a demand for gold from America, and no supply was obtained in this country from other places, it must be met by a contraction of the circulation of notes. He thought his right hon. Friend would have pursued a wiser course if he had not taken what he would call the narrow view of a needy Chancellor—an empty exchequer, but a wide and comprehensive consideration of all the interests of the country; and the right hon. Baronet would then have seen that it was not because we had 8,000,000*l.* or 10,000,000*l.* to pay to foreign countries that such an effect ought to be produced upon our commerce as to make our most solid and stable and prudent institutions tremble.

Sir G. CLERK considered that a great compliment had been paid to the operation of the Banking Act of 1844, for it had been admitted that that Act had prevented an undue issue of paper by private and joint-stock banks; and that if such an excessive issue had taken place, the difficulties of the present moment would have been greatly increased. He presumed, however, that the hon. Gentleman who had made this admission would consider that while it was quite right to limit the issue of private and joint-stock banks, because they had abused and were likely to abuse their powers, yet the past experience of the mode in which the Bank of England had managed its affairs, had shown that under no circumstances was it likely to increase the issue of notes, and so to encourage any undue speculation. Now, he believed he could refer the hon. Gentleman to statements made before Committees of that House, which would prove that, whenever great speculation was going on in this country, there would always be abundance of commercial paper offered to the Bank; that the Bank adopted no other criterion of judging of such paper but the solvency of the parties offering it; and that there was no security against an undue issue of Bank paper, which, whenever an undue pressure occurred, would occasion great inconvenience. He thought, however, that the hon. Gentleman had omitted to notice the broad distinction pointed out by the hon. Member for Clitheroe—the distinction between the currency of the country, or the mere machinery by which operations were carried on, and the surplus disposable capital of the country, which was the only fund upon which merchants could draw for the resources they required. What, he would ask the House, was the present situation of this country? We had, owing to a visitation of Providence, experienced an entire destruction of a great portion of the agricultural produce of this country, which had occasioned a deficiency of available capital to the extent of between 20,000,000*l.* and 30,000,000*l.* Under what circumstances did this calamity overtake us? There had been, during the last few years, extraordinary speculation in railways, and a consequent abstraction of a large proportion of the disposable capital of the country from the purposes to which it was formerly applied. The consequence was, that there was a much less proportion of that capital left, than there otherwise would have been, to aid and assist the commercial world in the present crisis. The necessity of purchasing large quantities of corn abroad, had led to the exportation of a considerable amount of capital; and as the famine had been experienced to a greater or less degree by the continental nations, they were able to devote but a small portion of their money to the purchase of our manufactures. We had, besides, incurred an extraordinary expenditure of 8,000,000*l.* for Ireland; and the united effect of these causes had been to make a great drain upon that fund which, in ordinary years, was employed in giving assistance to the commercial world. Was it extraordinary, then, that the rate of discount should have risen from 2 per cent in August last, to the extraordinary amount which had been mentioned? He thought the House would admit that it had not been shown that these evils would be alleviated if the Act of 1844 were repealed, and if no restrictions were placed either upon the Bank of England or upon private banks. He might observe, that though in the months of January and February the extent to which the crops had failed was well known, the Bank for a long time took no steps whatever to reduce their issues by raising the rate of discount. The Bank went on without giving any warning or notice to the public till they began to feel the pressure themselves, and they then perhaps drew the cord too tight and refused to give sufficient accommodation. The necessary consequence was, that for a week or ten days the greatest distress prevailed in the money market. Within the last week the Bank had been enabled to give increased accommodation to the public; but that accommodation was afforded under the Act of 1844. He contended, that if the Bank had acted on the principles of the Act of 1844 at an earlier period, although a certain degree of pressure must have been felt, the country would have been saved from the aggravated pressure which had recently been experienced. He regretted, indeed, that with respect to a matter of such vital importance a debate should have arisen in so desultory a manner, and not on a Motion which could bring to issue the question, whether any of the evils now complained of were justly attributable to the Act of 1844; and he was surprised that the hon. Member for Huntingdon, holding the position which he did in the commercial world, did not give notice of a Motion to repeal the Act of 1844. In such a case he thought it would be found that the House would abide by the sound prin-

ciples of currency laid down in that Act. It was true, that an Act of Parliament might be passed to make half a sovereign pass for a whole sovereign; and in paying a creditor any man would certainly be benefited by finding his half sovereigns rendered equal in value to sovereigns; but the next day if the same individual went to purchase any article with his half sovereigns, he would find that the nominal price of it had considerably risen, in consequence of the law making a half sovereign a legal tender for a whole sovereign. No advantage would be gained by such a measure; and the only result would be that the monetary transactions of the country would be thrown into confusion. The real fact appeared to him to be, that the people had undertaken too many great works within a limited period, which they had not the money or ability to pay out of their annual revenue. They had undertaken more railways than they could effect within the proposed time. This plunged us into difficulties, which however might have been surmounted if we had had an abundant harvest and an increased export of manufactured goods. But as the case was, the people were now obliged to draw on that surplus capital which otherwise might have gone to the accommodation of the commercial world. This caused the existing pressure; but the adoption of the strictest economy with respect to the public expenditure and every other branch of expenditure would tend to create an amelioration. Any attempt, however, to tamper with the currency, though it might act as a momentary stimulant, would, like all other stimulants, be followed by a reactionary effect. With respect to the particular measure before the Committee, he confessed that he entertained considerable doubts whether it would produce the beneficial effects which the right hon. Gentleman the Chancellor of the Exchequer anticipated from it. He feared that persons who had subscribed to the loan, might continue to find that they could get 6 or 7, or 8 per cent by discounting bills; and in this case they would not be much disposed to advance the payment of their instalments of the loan, when they would get for the money so advanced only 5 and 4 per cent. He was, however, quite willing that the experiment should be tried, and had no wish to offer any opposition to the Motion.

MR. DISRAELI was very glad that the hon. Member for Huntingdon had not proposed the repeal of the Act of 1844, because that would have been withdrawing the attention of the Committee from the real question before it. The hon. Member for Clitheroe, while expressing an opinion that the noble Lord the Member for Lynn had introduced the elements of a much wider discussion than the resolution submitted to the Committee seemed to warrant, had, nevertheless, himself pretty extensively travelled into the forbidden province, and touched largely on all the subjects which he had intimated ought not to be discussed. The hon. Gentleman had laid down certain principles for the establishment of a sound currency, the accuracy of which it would be difficult to challenge; but they did not appear to bear a very close reference to the circumstances with which the Committee had now to deal. The hon. Gentleman told the House, above all, in the establishment of the currency to beware of artificial arrangements; but he wished to know whether the currency in this country was not now founded on artificial arrangements? It was very easy to deliver an abstract lecture and lay down principles which might answer in Utopia for the establishment of a currency; but he apprehended that the criticism of the hon. Gentleman could not apply to the exceptionable circumstances found in every existing currency. The hon. Gentleman, however, after expressing these abstract opinions, delivered a panegyric on the measure of 1844; and if that panegyric were just, it must of course terminate all discussion on the subject. The hon. Gentleman said, that the object and result of the measure of 1844 was to saturate England with gold. We might be drained at present, said the hon. Gentleman—we might be subject to a most severe and unusual pressure, but by the providential arrangements of 1844 the country was found prepared for this pressure. The hon. Gentleman would have them believe, that, thanks to the arrangements of 1844, the country was literally saturated with gold; and this being the fact, severe as was the pressure, and severe as might have been the suffering of the merchants and the manufacturers, there was, of course, a fund prepared to meet the unexampled requirements of the exigency; and, of course, nothing could have gone wrong. If this was so, what was the meaning of any discussion whatever on the present state of the commercial world? But he feared that the hon. Gentleman had been rather too liberal of his assumptions. What was the state

of this country with respect to the precious metals before the introduction of the Act of 1844? How far was England saturated with gold at that particular period? He held in his hand the last return that had been published before the passing of the Act of 1844, and, by a reference to that document, he found, that on the 7th of September, 1844, the quantity of bullion and coin in the Bank amounted to 15,209,060*l*. With that amount of bullion in the coffers of the Bank in 1844, it was evident, therefore, that it could not have been the measure of that year that saturated the country with gold. He would not pause to enter into the question of what degree of saturation would be required to enable them to meet the difficulties of the present juncture; but he would revert to the hon. Gentleman's position, that they were indebted to the saturating qualities of the Act of 1844 for being overrun with gold. If there were any hon. Members who were inclined to be influenced by that statement, he would take leave again to direct their especial attention to this fact, that in the year 1844 the Bank had on hands an amount of bullion and coin which had been scarcely exceeded in any account which had been subsequently published. The hon. Member intimated the causes to which he was himself inclined to ascribe the present state of the monetary system, and of the commercial world generally, to the fact, that alarm had not been taken earlier by the Bank: and in a manner more assured and explicit, he then proceeded to quote the opinion of a great authority, to the effect that the Bank ought to have contracted their issue when the danger first commenced; and that it was a fatal mistake on their part to have reduced their rate of interest in the month of August last. Now, notwithstanding the remarks of the hon. Gentleman the Member for Clitheroe, and those of the right hon. Gentlemen the Member for Tamworth, he was strongly inclined to think that it was the opinion of that House and of the country, that they had no right whatever, under the Act of 1844, to criticise the conduct of the Bank in its banking department. They had invented a perfect system of machinery, almost as perfect as the sliding-scale, for the regulation of the issuing department. It was announced by the Ministry, sanctioned by the House, and received by the country, as a system which was independent of the management of the Bank, of the panics of the public, and of the caprices of directors. If, therefore, the Bank had mismanaged their affairs, that was their own business and not the House of Commons'. If they had placed in intimate relation with the transaction of public affairs a body over which not only had they no control, but over which they had, by legislative enactment, ostentatiously announced their intention of not, at any future period, exercising any control—much as they might regret the mismanagement of that body's affairs; great as might be their own sufferings and those of the public; and embarrassing as the consequences might be to the Government—they were stopped from any criticism on its conduct. A feeling of self-respect and a due regard for the decent dignity of that House should put criticism under such circumstances entirely out of the question. What could be a greater opprobrium on the wisdom, prudence, and sagacity of that House than that, on referring to so recent an arrangement as that of 1844, they should now, on the first occasion on which its virtues had been tested, find it wanting? and what could be more inconsistent with their dignity than that, on making this discovery, they should turn round, like common scolds, and abuse the Bank, while, with the same breath, they acknowledged that they had no control over the Bank, and therefore no possible right to criticise? Remembering the speeches of the right hon. Gentleman the Member for Tamworth, and bearing in mind words which still rung in the ears of all present, nothing but the perplexity of the House finding itself in a position from which it was impossible for it to extricate itself, could have induced the right hon. Baronet to turn round and criticise the Bank, as though it was the author of all the evil that had occurred and was occurring. He might take his stand on the non-liability to criticism of the Bank, upon the grounds he had mentioned; but he would not evade in such a manner the charge brought forward by the hon. Member for Clitheroe and the right hon. Baronet. On a subject so difficult and complicated, and in reference to which he spoke with unaffected diffidence, he should give no opinion of his own. He would mention nothing not fully substantiated by the admission of his opponents, or by documents which none could contest; but he maintained that the conduct of the Bank was not only not liable to the imputation made against it, but was entitled, on the contrary, to the expression of an opinion of a

very different character. The Bank of England lowered the rate of interest in August of last year. Now, he wanted to know what there was in the state of the country in August last which should have made the Bank look with any alarm to the future? The Bank then had an almost unprecedented amount of treasure; perhaps the largest amount of reserved notes which they had possessed for a year and a half or two years. Looking to their own position, their command over the precious metals, and the amount of their reserve, as well as to the general feeling of the city of London, the Bank, as a mere banking establishment, had a right to suppose that they were justified in assisting liberally every well-founded commercial movement. The directors of the Bank were men of the world, of great character and experience. Some of them were Members of that House, and could not be solely influenced by the state of their till. They might by chance have heard some hon. Gentleman previous to that time predicting the possibility of a coming scarcity, and proposing that the ports should be opened. But did the right hon. Baronet the Member for Tamworth sanction that proposal? Did the Government, which also exercised great influence on public opinion, adopt it? No. There was not, then, in August, when the Bank reduced the interest, having that great amount of treasure and reserved notes, notwithstanding the railway speculation, any apprehension in the commercial or political circles of England. The great statesmen—those who had possessed and those who then possessed power in the country—did not come forward and vaticinate apprehension and warn the Bank of a coming scarcity. What was the opinion of those who should have been better informed on this point than the directors of the Bank of England, or the merchants of the country, or Members of that House, or the Members of the present and late Governments? The best opinion on the subject was that of those engaged in the corn trade, and their opinion might be gathered from the prices which prevailed. The average price of wheat for the six weeks ending August, 1845, was 51*s.* 11*d.* per quarter; while the price, on an average of six weeks, ending August, 1846, was only 49*s.* 2*d.* the quarter. When, therefore, fault was found with the Bank, it should be borne in mind that it was the opinion of the Ministry, of the right hon. Member for Tamworth, and also of the dealers in wheat, that there was no fear of a scarcity. What was the price in September, 1845, on a similar average of six weeks? It was 55*s.* 7*d.* the quarter; whereas the price, on an average of six weeks, ending September in last year, was only 47*s.* 3*d.* Was it to be tolerated, then, that the Bank was to be brought forward as a scapegoat under these remarkable circumstances, forgetting the significant silence of the men who were Ministers now and who were Ministers then, and the speaking language of these authentic documents? Let the House mark a little further how far there was any foundation for these imputations upon the directors of the Bank. In October, 1845, wheat was 55*s.* 2*d.*; but in October, 1846, it was only 52*s.* 11*d.* Even in the month of November, when we were now told that the clouds were rising, it was only 59*s.* 7*d.*, and it had been 58*s.* 5*d.* in November, 1845. In the month of December it was 58*s.* 9*d.* in 1845, and only 60*s.* 4*d.* in 1846. Taking the average of the six months, July to December, it was 54*s.* 8*d.* in 1845, and but 53*s.* 7*d.* in 1846. Was not this alone a sufficient vindication of the Bank from the imputation that had been cast upon it—cast upon it, not by a casual word, not by an intimation in the heat of debate, but evidently from a foregone conclusion? Here was the Bill in distress, the great Charter of 1844 in distress. A scapegoat must be found. Let it be the Bank of England. The expression used by the right hon. Baronet (Sir R. Peel) was vague indeed. He seemed touched by a soft-hearted reminiscence; he spoke in a tender tone, and, so far as he was concerned, it might have been passed by. But the charge had been repeated—repeated in a manner the most decided, and by more than one right hon. Gentleman, as well as by the hon. Member for Clitheroe. It was the order of battle; it was the word given to the public—"It is the Bank of England that was not prudent, that did not watch the signs of the times." But what would have been the consequence if the Bank of England had not reduced its interests when it did, but had kept it as it was, or, following up the suggestion now made, had increased it? The most beneficial movement that for years had happened in this country, the most beneficial act, one that had spoken most for the prescience and foresight and admirable prudence of the body who performed it, was the act of the Bank in reducing the rate of interest under the circumstances.

What had occurred from it? The confidence of the public was so great, when they found in August that the Bank did not increase their rate, that we were indebted to that foresight and sagacity for the fact that all the merchants of England scoured both hemispheres to procure corn for us. We were indebted to the Bank for the fact that we had had 6,000,000 quarters of corn sent into this country, and that we were at this moment exporting to France, and had the exchanges of the Continent mainly influenced in our favour. And it was not merely that the Bank of England had contributed to feed us, and was one of the principal causes of gold flowing in from the Continent to this country, without any expression of public approbation and of public confidence; but one who, upon such a subject, was a great authority, and the last from whom they should apprehend a rebuke, must seize upon the very first opportunity of branding them for that act, so politic, so sagacious, and so beneficial. Amidst all the incoherent judgments and hasty opinions upon the causes of panic, all agreed in believing that the Bank was the great criminal, and principally believed it from the intimation of the right hon. Baronet (Sir R. Peel). He was not one of those who upon such a subject as this would appeal to the passions of the House; and he believed that if this question, on the Act of 1844, were calmly examined by an investigation of facts, and not by an assertion of windy opinions, the House might be led to a result highly beneficial to this country. What—he would not say he charged against the Act of 1844, because he wished to conduct the investigation in a temperate spirit—but what appeared to him to be imputable to it was, that it was an Act which could not prevent any of the mischiefs that under the previous system occurred, but could prevent much of the benefit that the previous system ensured. The Act, it appeared to him, and could be shown, he thought, by indisputable evidence—the Act had failed in every object which it held out as desirable to the public, and engaged to fulfil. We were told that it would prevent, or tend to prevent, anything like those financial disturbances and disorders which we associated with the name of panic. The House had had held before them, in the speeches with which the Act was introduced, and in the Committee that led to it, the instances of 1836, 1837, and 1839. It was by a picturesque representation of those disasters, and of the public discomfort, that the House, yielding to the great authority of the individual who introduced this measure—legislating upon a subject which he had deeply studied, and of which, in a certain sense, he was a great master—were induced to pass that Act. Now, let the House observe, that if that Bill had been enacted previous to the monetary disorder of 1836–37, that disorder would equally have occurred. In the drain of 1836, from the end of March to the end of December—namely, eight months—the bullion in the Bank fell from 8,000,000*l.* to 3,900,000*l.*, yet the circulation was never so great as the limit of the circulation would have been under the Act of 1844. If the Bank, in 1836–37, had been controlled (as the phrase was) by the Act of 1844, all the disastrous circumstances of 1836–37 might have occurred. He would prove that by the public records which he held in his hands. The circulation was 17,600,000*l.* in March, 1836; but, according to the Act of 1844, it might have been 22,500,000*l.* In April, 1836, the circulation of the Bank was 18,500,000*l.* and its bullion 7,500,000*l.* Under the law of 1844, the circulation might have been 21,000,000*l.* Not to go through these eight disastrous months in detail, which might weary the House, look at the result—look at December, 1836, the last month in the fatal record of that year's returns. There was a circulation of 17,000,000*l.*, December 6th, and there was in the Bank 3,900,000*l.*; according to the Act of 1844, the circulation might have been 17,900,000*l.* With regard, then, to what was termed controlling the discretion of the Bank, it would not have been done by the Act of 1844, if it had been in existence; and therefore that Act would not have prevented the evil of 1836—that year of great disaster and of drain. Now, how would it have prevented the evil of 1839? In April, 1839, the Bank securities were 26,600,000*l.*; the bullion had fallen continuously from November, 1838, from 9,500,000*l.* to 5,200,000*l.* On the 16th of May, the Bank raised its rate of discount to 5 per cent; and on the 20th of June, to 5½; on the 13th of July, the dead-weight was offered for sale; on the 1st of August, the Bank raised the rate of discount to 6 per cent. Here was a period of gloom—of disaster—of ruin; the period when we went, he would not say begging, to France, but when, by the agency of the French money market, the Bank was saved from stopping. Now, what would have

been the effect if the law of 1844 had been in operation? In November, 1838, the circulation was 17,800,000*l.*, and there was 9,500,000*l.* bullion in the Bank; the maximum limit of the law of 1844 would have added 14,000,000*l.* to the 9,500,000*l.* in settling the amount to which the circulation might go. On the 16th of May, 1839, when the Bank raised its discount to 5 per cent, the circulation was 18,300,000*l.* and the bullion 4,100,000*l.*, and therefore, even at that time, according to the law of 1844, the circulation of the Bank would have been the same within 200,000*l.* On the 13th of July, when the deadweight was offered for sale, the circulation was 18,600,000*l.* and the bullion was 3,400,000*l.*; and therefore, even at that gloomiest day, the circulation would hardly have been above 1,000,000*l.* less with the new Act. In November, the bullion in the Bank was 3,400,000*l.* and the circulation 15,900,000*l.*; it might under the new Act have been 17,400,000*l.* As far, therefore, as concerned controlling what was called the discretion of the Bank, which we were told was one of the great virtues of the Act of 1844, it was perfectly clear that, had it been law in 1836 and 1839, it would have operated no sensible difference; and in many months of the greatest disaster and disorder it would have permitted the directors to issue a greater circulation than they really did. Now, take another point which, in the year 1844, was particularly pressed on the House, and promised to the country—the fluctuation of the amount of notes of the Bank of England in comparison to the amount of bullion in the Bank; had that important promise been fulfilled? Take the weekly return of the 21st of September, 1844, the third return after the passing of the Act. The bullion in the Bank was 15,100,000*l.*; the circulation was 20,600,000*l.* In the eighth weekly return the bullion was 14,000,000*l.*; the circulation 22,300,000*l.* While bullion to the amount of 1,100,000*l.* had run out, the note circulation was not reduced, but increased by 1,700,000*l.* Take the close of 1844, the year when this Act passed to insure that the fluctuation of the notes should bear a relation to the bullion in the coffers of the Bank; it would be found that the bullion rose slowly to the end of the year to 14,800,000*l.*, while the circulation fell more rapidly to 20,100,000*l.* In January, 1845, the bullion was 14,800,000*l.* and the circulation 20,600,000*l.* Three months afterwards, on the 29th of March, the bullion had risen to 16,200,000*l.*, and the circulation remained exactly the same as in the beginning of the year; so that during three eventful months, in which the bullion increased 2,000,000*l.*, the circulation remained precisely the same. Yet it was to insure a correspondence between the fluctuation of the notes and the amount of bullion in the Bank, that the Act of 1844 was principally recommended to the House. Take, now, the 14th of June, 1845; there were 16,600,000*l.* of bullion, and the circulation was only 21,600,000*l.* On the 29th of October the bullion had sunk to 14,000,000*l.*, but the circulation had risen to 23,300,000*l.* Thus, the highest amount of circulation during the two years was when the bullion had been falling continuously for four months; while the bullion sunk 2,500,000*l.*, the circulation rose 2,000,000*l.* Then, if this Act did not control the discretionary power of the Bank, nor regulate the fluctuation in the notes with the amount of the bullion—if it had failed during these three years in both objects, what advantages had we gained by it to counteract the inconvenience which had been brought before the House by the hon. Member for Huntingdon? They had been told that there was an unprecedented state of affairs in the city of London—if not impending bankruptcy, a state of affairs, as far as difficulty to meet their engagements was concerned, which had never been equalled; and this when all agreed that the state of trade was sound. They were told that the Bank of England would not assist commerce, because, although it had the means to do so, it was obliged by a law, passed in 1844, to keep a great amount of treasure in a particular department. At the same time, the House had seen that this law had entirely failed in the objects it was to accomplish; that it did not exercise a control over the discretionary power of the Bank; that they might have the same state of affairs to-morrow as under the old law; and that the Bank might enter into engagements to-morrow under this Act, which it might not be in its power to meet. They ran all this risk, and met the inconvenience and injury; and yet they were told that this Act of 1844 was to produce a machinery which would curb the discretion, the fatal discretion, of the Bank, and regulate the amount of notes in circulation by the amount of coin and bullion in the coffers of the Bank. They were to pay for those two great advantages dearly, it was sus-

pected, at the time; most intensely it was now felt; but it would be some case for the author of that Bill, and for the Government which supported it, if the country obtained the advantages which were promised in 1844—if the Act did regulate the circulation by the bullion, and had the power of controlling the discretion of the managers of the Bank. But when they had not the power of controlling the discretion of the Bank for evil, were they, by this law, to control its discretion for good? That was the point for the House to consider, and that was the point the country must decide. They might find that our assent to this law was obtained on false pretences—of course, he meant proved so by experience—he did not use the word offensively; all he meant to say was, that it had proved a failure; it had not fulfilled what it promised to fulfil. But while the country was experiencing the greatest possible inconvenience and injury, let not the House be satisfied because the right hon. Gentleman (Sir R. Peel), or the right hon. Baronet opposite (the Chancellor of the Exchequer), turned round and said, "True, you are experiencing this injury; true, you are suffering in your fortunes; but you forget the immense benefits we have gained for you by this Bill of 1844. Do you want the panic of 1836 or 1839 brought back?" The promise that the fluctuations would be regulated, had not been fulfilled; and there was nothing in the Act to prevent the exercise of that fatal discretion which was deprecated on the part of the Bank directors. The same disasters as in 1836 and 1839 would have occurred had it not existed, and the same losses would have been experienced. The latitude of the discretion allowed to the directors was the same. But it was said these were only the superficial views taken at the first moment of public suffering. He held a document in his hand, however, dated June 11, 1844, addressed to "the right hon. Sir Robert Peel, Bart., M. P.," by the bankers of London. It was very short, very pithy, and quite *apropos* to the present question. It was right the House should be reminded that the united bankers of London addressed this memorial to the Prime Minister:—

"We, the undersigned bankers of London, are induced by the importance of the measure and our interest in its success, to address you upon the subject of the Bank Charter Bill now before Parliament. We were led to believe, when the measure was first brought forward—and we feel confident it was generally understood throughout the country—that although it was the intention of Her Majesty's Government that the paper circulation of the Bank of England in their issue department, should be limited to an amount not exceeding 14,000,000*l.* upon securities, yet, that in the event of any particular crisis arising, a power was to be reserved by the Bill enabling the Bank of England, with the consent of the First Lord of the Treasury, the Chancellor of the Exchequer, and the Master of the Mint, to extend their issue upon securities beyond that amount. It is with considerable surprise that we find that the Bill now before the House of Commons does not contain any provision for an extension of the issue beyond 14,000,000*l.* upon securities, excepting under the special circumstances named in the fifth clause of the Bill now before Parliament. We are apprehensive that the absolute limitation of the issue to 14,000,000*l.*, without any power of expansion being reserved, whether that amount be in itself a proper amount or not, will create a general feeling of uneasiness throughout the country, and, by preventing the satisfactory reception of the measure, will deprive the scheme of many of the advantages it possesses, and interfere with its success. We respectfully submit that the effect of such an absolute limitation will be to restrict the business of the country, by leading to a general withdrawal of legitimate accommodation, unless some power be reserved by the Bill for extending the issue, with the sanction of the authorities above alluded to, in cases of emergency, to be made apparent to such authorities."

Who, did the House think, signed that document? Did they think it was even the two Members for Birmingham? Was it the Society for the Emancipation of Industry? Were they practical men, or mere theorists? The House would allow him to read the names, and they were names fitted to create a delightful feeling from their association with ideas of substantial opulence:—

"Robarts, Curtis and Co.; Hanbury, Taylor, and Lloyd; Bosanquet, Franks, and Co.; Brown, Janson, and Co.; Barclay, Bevan, Tritton, and Co.; Hankey and Co.; Smith, Payne, and Smiths; Willis, Percival, and Co.; Masterman, Peters, and Co.; Rogers, Olding, and Co.; Spooner, Attwood, and Co.; Currie and Co.; Glyn, Halifax, Mills, and Co.; Williams and Co.; Fullers and Co.; Barnard, Dimsdale, Barnard, and Co.; Barnet, Hoares, and Co.; Lubbock, Forster, and Co.; Stevenson, Salt, and Sons; Price, Marryat, and Co.; Sapte, Banbury, and Co.; Weston and Co.; Twining and Co.; Dixon and Co.; Coutts and Co.; Herries, and Co.; Ransom and Co.; Strachan and Co.; Scott, and Co.; Cockburn and Co."

The signatures to this memorial representing the whole banking power of London was preceded by one which none of those whose names were subscribed would, he ventured to say, consider inferior to any that appeared; it was the signature of Jones, Loyd and Co. It appeared, however, that one member of this firm had written a pam-

phlet; but, as its representations did not agree with the memorial, that name had been scratched out. Little did that gentleman think that his pamphlet would be turned into an Act of Parliament. Such was the fate of authors; truly it might be said of them that they ruled the world. The right hon. Baronet the Member for Tamworth would seem to convey an impression that some desire existed to adopt a course on which there could not be two opinions among sane and substantial men, as if Lord Ashburton or the hon. Member for Huntingdon (Mr. T. Baring) would set aside the settlement of 1819. He (Mr. Disraeli) thought it as well to remind the House—which liked opinions given by practical men—of the practical opinion of Lombard-street. There was not a firm omitted, not a banking-house unrepresented in that memorial, which in the present state of affairs might be looked upon as a prophecy. There was not one, he ventured to say, who was ashamed of having signed that memorial. All he asked of the right hon. Gentleman was, to answer the opinions of these men. It was not enough to get up, and in this agony of the credit of England raise a question worthy to be discussed by the schoolmen as to what was a pound. That was a question worthy of the Member for Birmingham and his disciples. The right hon. Gentleman had had private interviews and correspondence with the Birmingham school. Let him continue that if he pleased; but let him not mix such considerations with this discussion. What he was called upon to do was to answer Lombard-street. If the right hon. Gentleman's Bill had failed in all its objects—if the fears of the bankers of Lombard-street had been justified by events—it was for the right hon. Gentleman to show why they should endure the injury and inconvenience that measure entailed upon the country? One could wish that this or any country had a currency such as accorded with the idea of the right hon. Gentleman, who was himself, however, obliged to set out in his arrangements on a basis not only imaginary, but arbitrary. Where a perfect metallic basis could not be obtained, it must be made as solid and substantial as possible. But a terrible and most unmerited loss ought not to be entailed upon the people of England because it was pretended to do that which it would baffle any Minister to accomplish. If the right hon. Gentleman admitted in a certain degree an imaginary and arbitrary basis, it was a question of degree whether there ought not to be a power given under the system, such as that indicated by the bankers of Lombard-street, which might be exercised on a great exigency for the relief of commerce. When the exchanges were against this country in 1825, and means were taken to give temporary relief to commerce, was not the general loss then sustained but a drop in the ocean of suffering as compared with that ruin which adherence to a false policy might produce? Was not loss, in short, preferable to ruin? He (Mr. Disraeli) now left the question in the hands of the House. His argument was founded rather on the documents to which he had referred, than on any considerations suggested by his own reflections. He submitted the views he had stated with great diffidence; and any opinion he had given could be regarded only as a link to connect the facts he had placed before the House. But he hoped that in the face of those facts the House would not arrive at an opinion which involved an unbending adherence to that Act of 1844, which he had shown to be a great delusion; a reality only as regarded the treasure which was locked up in the department of issue; a reality only now when the public wanted that treasure to assist in the operations of commerce. It was indeed a measure under the operation of which it seemed as if they had locked their treasure in the coffers of the Bank, and thrown the key into the river Thames.

SIR R. PEEL: The hon. Gentleman stated towards the conclusion of his speech that he left this question in the hands of the House. Now, unfortunately, the hon. Gentleman does no such thing; for it is quite impossible that the House can pronounce any opinion whatever. We are discussing the question of the currency in the most inconvenient form possible. The right hon. Gentleman (the Chancellor of the Exchequer) makes a proposition of which I, for one, most cordially approve, and which I believe will meet with general concurrence from the House. An hon. Friend of mine, one of the Members for the city of London, attempts an Amendment; and he has not had an opportunity of putting it in the hands of the Chairman before he is told that there is an objection in point of form; and my hon. Friend modestly retires from the field. Therefore, it is impossible that the House can come to a satisfactory conclusion in regard to the subject which has

been submitted to its consideration in the course of debate. Before, Sir, the House forms an opinion on the propriety of taking some new course with respect to the currency, I hope that it will take warning from that which has occurred during the present debate. If this Act of 1844 be really so defective as it is alleged to be, it is extraordinary that there should be no approach to unanimity as to the defects of the measure. And I ask the House to consider whether the real object in view be merely some small modification of the Act of 1844, or whether many of those who press for the small modification of detail, do not expect to open a door to an infraction of the principle on which that Act was founded? Let me review the course of the present debate. My hon. Friend led the discussion; and all he proposes is, that the Chancellor of the Exchequer should give an assurance that he won't borrow from the Bank on a deficiency. [Mr. MASTERMAN: From the banking department.] My hon. Friend says, if the right hon. Gentleman can give him that assurance, it will restore confidence in the City, and tend to relieve the pressure on the money market. But that is a very small measure. Supposing, however, the right hon. Gentleman is able to give him the assurance, that in July he will not require any assistance from the Bank, my hon. Friend would be content to permit the Bill of 1844 to remain in force. My hon. Friend thinks that the Government would act wisely in taking the course most likely to enable them to dispense with the aid of the Bank when the next quarter's dividend becomes due. He who leads the city bankers has no other proposition to make than that the Chancellor of the Exchequer should give an assurance that he won't ask the Bank for temporary assistance. In the event of its being necessary, my hon. Friend desires that for this purpose the Bank of England should be allowed to issue additional notes to the amount of deficiency bills. [Mr. MASTERMAN: Out of the issue department.] Out of the issue department! That is a different proposal from what was submitted by my hon. Friend.

MR. MASTERMAN wished to be allowed to explain what his proposal really was. It was this—that the Chancellor of the Exchequer should apply to Parliament for power to enable the Bank to take money out of the issue department, and allow it to be replaced by the growing revenue, leaving the banking department to manage itself.

SIR R. PEEL: I thought I heard from my hon. Friend that it would be desirable that the Chancellor of the Exchequer should give an assurance to the House that he would not borrow money from the Bank for the purpose of paying the dividends. [Mr. MASTERMAN: From the banking department.] Yes, the banking department; decidedly so. There was nothing in the proposal of my hon. Friend, as I understood it, whatever object he may have contemplated, with respect to issuing notes from the issue department. Then followed the hon. Member for Montrose—

MR. MASTERMAN: I must say a word as to what I really did propose, for it does not seem to be properly understood. What I actually did say was, that I thought the proposal submitted by the Chancellor of the Exchequer would tend to alleviate the inconvenience now felt by the public. I did not say that it was the best measure that could be adopted; but I did conceive that a modified measure of that kind, going forth with the authority of this House, would be extremely desirable under the pressure now existing. My object in the proposal which I made, was to remove any demand of the banking department upon the issue department, and to leave the Bank to act upon its own idea of what was right and proper for the national interest; for I conceived that the Bank had no power under this restricted Bill to grant accommodation to the Chancellor of the Exchequer without incommoding the public.

SIR R. PEEL: My hon. Friend has confirmed my impression, that he would be satisfied if the Chancellor of the Exchequer would give an assurance that he would not require aid from the Bank to pay the July dividends. I now understand that if the aid had been given, my hon. Friend wished it to be given from the issue department. Then came the hon. Member for Montrose (Mr. Hume). His proposal was this, that there should be unlimited competition in respect to banking. [Mr. HUME: Free trade.] That there should be free trade in banking—that the country banks should be allowed to issue five-pound notes to any amount—but that they should be required to pay their notes in gold. I beg to say that I do not think the adoption of that proposal would have any tendency to diminish the present pressure. The hon.

Member is satisfied with the general principle of the currency; he only objects to the country banks being restricted in their accommodation, and in there not being imposed upon them the necessity of paying their notes in gold. There was next the proposal of the hon. Member for South Lancashire (Mr. Brown). That hon. Member proposed that the Bank of England should be permitted for a limited period to issue 1*l.* notes, and that they should hereafter be withdrawn. He may depend upon it, that after permission shall have been once given to the Bank of England to issue 1*l.* notes in lieu of gold, he would find it exceedingly difficult to persuade the House to retrace its steps, to recall the 1*l.* notes, and again to have a gold circulation distributed throughout the country. The hon. Gentleman the Member for Rutland admitted that his object is an inconvertible paper currency; he says he would have a limitation of the amount, but that he is in favour of inconvertible paper. Such was the third proposal. Then came the fourth —that of the hon. Gentleman the Member for Warwickshire. The hon. Gentleman says distinctly—"What I most deprecate is any palliative or partial measure; the Act of 1844, which I admit is a necessary complement of the Act of 1819, is a miserable delusion."

MR. NEWDEGATE: I distinctly stated that that was the answer the right hon. Baronet gave me in reply to a question put by me in 1844; and as he deemed it a necessary complement, I will so take it on his authority.

SIR R. PEEL: Did not the hon. Gentleman say that the repeal of the Act of 1844 alone would be merely delusive; and that any attempt to enforce the standard imposed by the Act of 1819 was utterly impossible? Did he not say that the country could not bear the standard of 1819, and that some new one was necessary?

MR. NEWDEGATE: I said that the proposition of the hon. Member for Montrose, for a strictly convertible paper currency, was incompatible with the standard at present adopted.

SIR R. PEEL: Does the hon. Gentleman then admit that the standard of 1819 can be maintained? Did he not say that he had often heard that it was now too late to redress the injury done in 1819? And did he not ask whether the adoption of the standard of 1819 had not added to the public burdens—whether the children at least of those who suffered in 1819 did not remain—whether it was too late to bring consolation to them; and that for that purpose we must revise the standard of 1819?

MR. NEWDEGATE: I stated that I had heard it said that the injury inflicted upon the sufferers of 1819 was merely temporary, and that it fell with them; but I said I did not believe it.

SIR R. PEEL: I think we are approaching much nearer to an understanding of each other. I must observe, that when arguments which fall upon the ear are brought forth again without the rhetorical advantage given to them by the speakers, but are simply presented to them bare of such ornament, the speakers themselves often regard them with repugnance. In such cases, the arguments are no longer obscured by rhetorical artifice. I rejoice that the hon. Gentleman is in favour of the standard of 1819—at least that the hon. Gentleman occupies an intermediate position between an unwillingness to adhere to the standard of 1819, and a readiness to alter it. The last proposal was made by the noble Lord (Lord G. Bentinck), and supported by the hon. Member for Shrewsbury, and it is one for a repeal or modification of the Act of 1844, as they think that the evils which we undergo would be remedied by a repeal, or at least a material alteration, of that Act. But, before determining that the repeal or modification of the Act of 1844 will provide a remedy, let us well consider what is the nature of the evil under which this country is at present suffering; let us well consider whether or no, in our desire to attain some immediate present relief, we are not incurring the risk of subsequent aggravation of that evil by an alteration of the principle and practice of our currency. Now, I do not want any better description of the present condition of this country, and of the real nature of the pressure under which we labour, than that which I find in the able and unexceptionable statement of the hon. Member for Huntingdon. I will take his own facts. He says this country is suffering from an unparalelled scarcity of food. A calamity upon which none of us calculated has afflicted us. It has been alleged, on official authority, that the loss of capital in consequence of the total loss of the potato crop, and the partial failure of other crops and articles of subsistence for man in this country and in Ireland, has not been less than

16,000,000*l.* Why, it is difficult to estimate what must be the effect of an abstraction of capital in one year to the amount of 16,000,000*l.*; but, above all, when that abstraction of capital is caused by such a calamity as a scarcity of food. This calamity of a loss of food has come unawares on every country in the northern part of Europe. How it is that so little calculation should have been made at an early period of the last autumn, I know not. Whether or no the same atmospheric influence—if atmospheric influence it be—that caused the failure of the potato, has affected other vegetable substances, we cannot tell; what we know is, that in this country and in other countries of Europe, even after harvest had been carried, there appeared to be no foreboding of the extent of the calamity. Those countries from which in ordinary years we draw supplies, are themselves suffering from extreme scarcity of food. France, and Holland, and Belgium, and the countries on the banks of the Rhine, are sustaining extreme pressure on this account. Even in the northern parts of Europe, wherein, tempted by extravagant prices, they parted with their food, the pressure is becoming exceedingly great. They find that the contributions they made towards the supply of this country and France have caused a severe pressure upon themselves; and we are, therefore, in this condition, that, not only are we suffering by a loss of food leading to a destruction of capital to the amount of 16,000,000*l.*, but, concurrently with that misfortune, a similar misfortune has visited every country in Northern Europe; and all are looking to the United States as the only source whence food can be derived. What effect must not that have had in paralysing our trade, in deranging our commercial speculations, and depriving us of the ordinary markets for our exports? Do not tell us of the failure of free trade. Has free trade had its fair trial in such a condition of Europe? Is it not clear that the capability of this country and of other countries to consume superfluities has been materially contracted by the superior necessity of devoting their resources to the supply of bread? Customers here and in the other countries of Europe have been compelled to devote their surplus revenue to the necessity of procuring food. But then, says the hon. Gentleman (Mr. Baring), there never was a year in which speculation was so rife as in 1845. Well, but if men will speculate and run riot, depend upon it that whatever legislative measure you may pass respecting the currency, they will inevitably suffer the consequence of running riot. He says, "I do not deny the great importance of railways—I admit that railways may be the foundation of future prosperity; but this I say, that if the capital of the country ordinarily applied to commerce is, to an extraordinary amount, locked up in railways, then the country will suffer great pressure in consequence." Thus, in addition to the failure in food, you have had speculation running riot, and such an investment in railways that in the course of last year applications were made to Parliament, which, if all acceded to, would have required 340,000,000*l.* to meet the engagements. But there is another cause concurrent with these—there has been a failure in that most important material of manufacture, cotton. The cotton crop has fallen short beyond calculation, and the consequence has been an enormous increase in the price of that raw material, which enters so largely as an element of our manufactures. We are suffering then, according to the hon. Gentleman—for I am taking his facts—from a deficient supply of food; from very rife speculation; from an extravagant application of capital to railways; and from a decrease in the quantity and an increase in the price of cotton—an article of the first importance to our manufactures. How absurd to throw the blame of these things on the Bill of 1844? If you had an inconvertible paper currency or a purely metallic currency, or any modification of paper and metal that you can fancy, depend upon it no commercial country can be exposed to the triple operation of three such calamities without feeling the utmost pressure—one for which an increase of bank notes will be no remedy. Therefore, Sir, while I assure the noble Lord that I adhere to the sentiment he heard me express, namely, that I should think it utterly unworthy of a public man to be swayed by considerations of mere personal consistency on such a question—though I should think it unworthy of me to throw any impediment on that account in the way of the Government if it think right to propose a modification of the Act of 1844—though I should claim the same privilege as I exercised with respect to the Corn Bill, and, if experience convinced me that the interests of the country required a modification of laws I myself had proposed, I should willingly set the example of

proposing that modification; yet I must first be satisfied such modification is a remedy for the evil endured. Let us consider the circumstances under which this Act was passed in 1844. The Bank Charter was about to expire, and it became necessary to make some new regulations in consequence. The regulations proposed by me were not adopted without five years of continued inquiries before Committees. First, there was the Committee on Joint Stock Banks in 1838 and 1839; then there was the Committee which, without making any distinct report, gave evidence of the highest authority, on which the Act of 1844 was founded. And was that Act of 1844 a mere speculative improvement of the currency, without any experience of past evils? The hon. Member for Warwickshire says, in 1819 I gave a flourishing account of the state of the country; that I dwelt on the triumphs of our arms; that I recommended, under all our difficulties, a strict adherence to good faith. Why did I do that? As an inducement to Parliament, which had contracted debts with the public creditor under an engagement that on the return of peace cash payments should be resumed, according to the ancient standard, to fulfil that engagement with a scrupulous, though inconvenient, adherence to public faith. But has not the hon. Gentleman, in the ardour of the attack he has directed against this Bill, forgotten some of the events in the history of the currency prior to the period of its passing? Has he read the history of the years 1814, 1815, and 1816? Is he aware that during that period, when we had an inconvertible paper currency, 240 private banks failed in this country? And why did they fail? Because, on a return to peace, nay, the prospect of that peace, there was the collapse which was sure to occur after we had had possession of the trade of the world, and had been indulging in all the luxury of an inconvertible paper currency. Without any intervention on my part, owing to the altered position of trade, there had occurred a state of things to which the present calamity, great as it is, is not to be compared. It is proposed to repeal this Act of 1844. Are we to restore the law to what it was before the passing of that Bill? There will then be an unlimited right of issue on the part of country banks; there will be a power on the part of the Bank of England to issue notes at its own discretion. Is that to be the state of the law for the future? The hon. Gentleman has told us what took place in 1837 and 1838; he said the country was then brought to the verge of ruin. But repeal the Act of 1844, and you will restore the state of the law as it existed at that very period. It gave no security. The Bank had the power of issuing paper without reference to the exchanges; the bullion was reduced to 1,600,000*l.* in gold, and there was every prospect of the Bank not being able to fulfil its engagements. Always bear in mind, if you do consent to repeal the Act of 1844, you restore the old order of things, and have not the slightest security against a recurrence of the disorders that took place in 1838 and 1839. But the object of the Act of 1844 has been greatly misunderstood. The main object of that Act was to insure the convertibility of paper into gold, and to prevent, in times of difficulty and distress, the temptation to which it is so easy to yield, of giving accommodation, of issuing paper without reference to the exchanges, of purchasing temporary ease, and afterwards aggravating the commercial pressure by a panic which leads to a demand of gold in exchange for paper. It is of the utmost importance that in these periods of commercial difficulty we should not be exposed to that other difficulty which aggravates the first—a demand on the Bank for gold, in consequence of doubts of its ability to pay its notes in gold. It cannot be denied that, by the Act of 1844, this object has been attained. The hon. Member for Huntingdon (Mr. T. Baring) says, there is now not the least panic—there is no doubt whatever of the solvency of the Bank—no wish to have gold in exchange for paper—and that the pressure is caused by undue apprehension. But what would be the state of things now if a panic, in consequence of doubts as to the solvency of the Bank, were superinduced upon the pressure the hon. Gentleman describes? What would have been the state of things if that Act of 1844 had not been passed? Suppose there had been on the part of every country bank, while this riotous speculation in railways prevailed, a power of fostering it by uncontrolled issues of paper? Would the state of affairs be as advantageous as it is? Severe as I admit the pressure to be, and deeply as I regret it, yet can any man deny that the Act of 1844, controlling the issues by country banks in a time of rash speculation, affords security for ultimate solvency? Is it not highly probable that without that check, speculation, even now admitted to have run riot, would

have nearly precipitated us to the verge of ruin? It is said that the object of the Act of 1844 was to supply a machine that would work by itself, and require no discretion whatever in those who had to deal with its operation. That is perfectly true with respect to the issue department of the Bank. The issue department of the Bank is a machine that acts of itself. I almost regret that it was not separated altogether from the Bank, and trusted to other hands. Then the supposed confusion between two departments would have deceived no one. It was perfectly open to have established a Government board, by which the issue of notes might have been conducted; in that case the issue of notes would precisely correspond with the deposit of gold. There would be a machine perfectly simple in its operation, requiring no intellect or discretion in the management of it. As it is, the Bank of England has the issue as well as the banking department. It was thought advisable not to incur the additional expense necessary for the support of a separate issue department under the control of the Government. The hon. Member for Shrewsbury says, we have no right to criticise the conduct of the Bank of England. How can the House of Commons maintain such a doctrine with regard to such an institution? Who can deny the influence which the Bank of England must exercise over the circulation and currency of the country? The hon. Member for Huntingdon (Mr. Baring) does not agree with the hon. Member for Shrewsbury. He draws a totally different conclusion from the Member for Shrewsbury with respect to the conduct of the Bank of England in August last. The Member for Huntingdon, who, I apprehend, is a higher authority on questions of this kind than the Member for Shrewsbury, quite disapproves of the conduct of the Bank in lowering the rate of interest in August last. As to the right of criticism on the conduct of the Bank at that period, I leave the hon. Gentleman to settle the question with the Member for Shrewsbury. I never complained of the conduct of the Bank in August. What I said was, that for three months, from the 1st of January, 1847, there had been a continuous drain of gold; and I ventured to express a serious doubt whether a great part of the subsequent pressure might not have been obviated if the Bank had not continued to discount at 4 per cent during those three months, when a full knowledge of the extent of the calamity in Ireland must have become known, and when a continuous drain of gold was taking place. The hon. Gentleman told us what the Bank had done in 1837, 1838, and 1839; and he ventured to utter—not, indeed, a prophecy—but to give us an assurance that, if the Act of 1844 had been in force in the years 1838 and 1839, not one of the difficulties of those times would have been obviated; for that the Bank would have had unlimited authority to issue a greater number of notes than they did issue at that time. It is exceedingly difficult to say what would have been the conduct of the Bank under an Act which passed five or six years afterwards; but there is one material circumstance which the hon. Gentleman altogether omitted from his notice—that is, the state of the country circulation at former periods of commercial pressure and hazard to the Bank. I will briefly refer to the state of the country circulation at those periods. I will begin with November, 1823. In November, 1823, the bullion in the possession of the Bank was 13,760,000*l.*; in November, 1825, it was reduced to 3,012,000*l.*; but it is estimated that between November 1823, and November 1825, the whole bullion having been reduced from thirteen millions to three, the amount of the country bank circulation was increased from four millions to eight. Again, on the 1st of January, 1834, the bullion in the Bank amounted to 9,948,000*l.*; but between that day and the 1st of January, 1837, a diminution in the amount had taken place, which brought it to 4,000,000*l.*, whilst the country bank circulation, instead of undergoing any corresponding reduction, had increased from ten millions in 1834, to eleven millions in 1837. In the middle of August, 1836, when you were upon the verge of a crisis, the country bank circulation was actually twelve millions. In January, 1838, the bullion in the Bank amounted to 9,722,000*l.*; in June, 1839, it had been reduced to 4,344,000*l.*; and the country bank circulation, instead of being diminished, had again increased. It amounted to 11,740,000*l.*, when the Bank had ten millions of bullion, and it was increased to 12,725,000*l.* when the Bank had only 4,300,000*l.* The Act of 1844 was expressly intended to prevent the evils of an increase in the country bank circulation, concurrently with a diminution in the amount of the precious metals. And what was the purpose of this? Why, no other than to give to the Bank of England a greater control over the paper

currency of the country. The Bank of England not subject to criticism! I can bear testimony to the high honour and strict integrity which have influenced the directors; but the Bank is a national institution. It holds great privileges and monopolies. It has an exclusive circulation within sixty-five miles of London. The circulation of country bankers is expressly excluded from that district. They are prevented from entering into competition with the Bank of England. Why? In order that the Bank might have more complete control over the circulation. To hold, then, that the Bank of England has a perfect right to issue what it pleases, without reference to the state of the exchanges, and to be exempt from all questions in Parliament, appears to me a dangerous error. The Bank itself will tell you it has material influence, and will acknowledge that confidence was placed in its discretion and judgment by the Act of 1844—that it cannot regulate its concerns with reference to the temporary interest of the proprietors. The hon. Gentleman the Member for Huntingdon took a more correct view when he held that the Bank of England had the power to influence the circulation, and to affect the trading concerns of the country. Although the issue department provides for the variations of the issue of notes, in conformity with the efflux or influx of gold, and although the law imposes no rule upon the Bank in respect to the banking department to which it must necessarily conform, yet Parliament trusted that the Bank, without compulsion, would adopt right principles—would not derange the monetary system of the country by improvident issues. This was the object of the Bank Act of 1844. The memorial of the London bankers which has been referred to, was fully before Parliament in the year 1844. The hon. Member asks why did we not act upon that memorial, and give to the Government the power of authorizing, under special circumstances, increased issues by the Bank? We considered that the main object of the Act of 1844 would have been defeated by knowledge on the part of the public that the Government possessed the discretionary power of interference. Suppose the First Lord of the Treasury, the Master of the Mint, and the Chancellor of the Exchequer, possessed the power of directing that the Bank should issue 3,000,000*l.* of additional paper money, the moment the least pressure was felt, application would be made for the exercise of that power; the precautions which individuals ought to take, would be neglected; and every mere temporary pressure would be declared irremediable otherwise than by an exercise of the power so possessed by the Government. We declined to accept that power, not from any unwillingness to undertake the responsibility, but because we thought that Parliament—and Parliament alone—ought to exercise the authority to relax that which Parliament had enacted. After the fullest consideration we felt that it was a power which Government ought not to assume. When the Act of 1844 was passed, Parliament was more alive, in the absence of all control, than it now is, after control has been established, to the evils of unrestricted competition in banking. They had before them the consequences of such competition both in this country and in the United States, and gave a ready assent to the restraints imposed by the Act of 1844.

On the whole, I approve of the course that the Government is now taking; at the same time, I cannot help feeling some apprehension—the rise in the price of corn which has this day been announced, is, in every point of view, most painful. Do not suppose that I am not alive to the pressure, which, I regret to say, is not confined to this country. I greatly fear the effect of the increased pressure, though I am glad to hear from the right hon. Gentleman the Chancellor of the Exchequer that there is a prospect of improvement; at the same time, I regret to learn from other quarters that some money transactions have occasioned considerable embarrassment. I admit it to be a subject for deep and serious reflection. I further admit that no pedantic and rigid adherence to any principle ought to prevent us from considering the subject fully in all its bearings. If I myself thought that any relaxation of this Bill would be a cure for the evils which press upon us, I repeat that I would not oppose its relaxation on account of the part which I took in introducing that measure to Parliament; but it is my firm belief—founded upon the information at present in my possession—that a temporary issue of some 2,000,000*l.* of paper would not increase that capital which, in point of fact, is the source from which you can command the produce of other countries. My great apprehension is, that by any such relaxation of the Bill by issuing notes on Exchequer-bills—by

permitting the Bank to issue notes on paper security—we should purchase temporary relief from pressure at the risk of aggravating the very evils from which we are endeavouring to escape. The European exchanges are slightly in our favour; the gradual, I believe I may say, the daily, influx of gold, is tending to give security and confidence to the Bank. It will enable it to give further accommodation to the public, which I trust it will, under the circumstances, extend to the very verge of the power it possesses. But diminish that confidence—turn the exchanges against you—let the Bank feel that its own position is in danger—that the convertibility of its notes is doubtful—then the Bank will have to consult, not only its own security—for that would be a subordinate consideration—but the permanent welfare of the country, by securing at any hazard that great object, the convertibility of paper into gold. You think it would be easy for the Bank to part with the gold which it has in its possession at present, and which amounts to about 10,000,000*l*. There is, most fortunately, though it may be an expense to the country—great expense—to maintain it, a gold circulation to the amount of some thirty or forty millions. This gold circulation, diffused throughout this part of the empire at least, is, I believe, the foundation of the security of the Scotch and Irish banks. Gold is an expensive circulating medium, I admit; gold is capital, and in that respect differs from inconvertible Bank paper. If you choose, under the apprehension of a temporary pressure, to part with your gold, you may, no doubt, command the produce of foreign countries in return; but if that system be good for you, it is good for every other country. The hon. Member for Huntingdon has said that France has not suffered in the same proportion as we have. The metallic circulation of France compared with the paper is said to be as 80 to 30. Suppose the case reversed—suppose the paper circulation of France to be to the circulation of coin as 80 to 30—do you think that the Minister of that country would have felt the same confidence in maintaining the public credit and the monetary system of France as he has recently exhibited? Expensive, therefore, though a gold circulation be, it yet gives security against that greatest of evils—the demand for gold on account of internal panic. My humble advice to you is, that you will not, in aiming to secure some temporary pecuniary advantage, issue 1*l*. notes in place of sovereigns. I hope that we shall be enabled to pass through our present difficulties; and that, without some overwhelming proof of a paramount necessity which would deprive you of all discretion, you will not consent to tamper with the principle which we had the greatest difficulty in re-establishing, after our long experience of the evils resulting from its abandonment between 1797 and 1819. Depend upon it, if you attempt to purchase present relief by endangering the convertibility of paper, you will inflict a severe blow on the prosperity of this country; you will shake all confidence in the medium of exchange; and depreciate the value of property. It will be an act utterly inconsistent with past experience, and altogether unworthy of the character you have hitherto maintained, if, in order to escape from a temporary pressure, you relinquish an advantage which is essential to the welfare of all classes of the community, and, above all, of that class which, by the certainty and fixedness of the circulating medium, is assured of a command over the necessaries of life, proportionate to the wages of labour.

The MARQUESS of GRANBY moved that the debate be adjourned.

LORD J. RUSSELL hoped the noble Lord would not press his Motion. There were several stages of the measure in which the discussion might be renewed; but he feared that, if the resolution were not agreed to that night, the measure could not be carried through before the Whitsuntide holidays.

LORD G. BENTINCK said, that the country took the greatest interest in the discussion, and attached more importance to it than they did to the vote itself. It was perfectly understood that the measure involved in the resolution would be adopted; and his right hon. Friend the Chancellor of the Exchequer might almost act as if the resolution was passed. He knew that many Members wished to take part in the discussion; and, under these circumstances, he could not consent to the withdrawal of the Motion.

LORD J. RUSSELL said, that his hon. Colleague, the Member for the city of London, objected to the Bank being called upon for a loan on account of deficiency bills. That event was much less likely to occur if the measure should pass before Whitsuntide; and, therefore, he hoped his

hon. Colleague would use his influence with the noble Lord to induce him to withdraw his Motion.

Resolutions agreed to.

House resumed.

HEALTH OF TOWNS BILL.

On the Order of the Day for the Second Reading of the Health of Towns Bill,

VISCOUNT MORPETH said, that he would take that opportunity of stating what the intentions of Her Majesty's Government were with respect to this Bill. He should say that every communication which he received convinced him more and more, not only of the propriety but of the necessity of this measure; and nothing could be more acceptable to him than to think that the House could devote sufficient time for the consideration and adoption of the entire measure. However, other subjects—he would not say of greater importance, for nothing could be of greater importance than the efficient maintenance of the public health in the towns of this country; but other subjects of more immediate pressure, owing to their sudden emergency—had occupied a great portion of the time of the House during this Session, and promised to occupy still more of it. Under these circumstances he had received a communication from the Health of Towns Association—a body composed of gentlemen who devoted all their time and their efforts to the promotion of the public health; and in it they represented to him how desirable it was that something should be done—that some beginning should be made this Session towards carrying out the desirable object which they had in view, and also that it would be a pity to risk the danger of not doing anything by trying to bind the House to give its attention to the more complicated and controverted parts of the measure. In accordance with that opinion, and concurring as it did in his own views on the matter, he was disposed to ask the House to agree in the course of the present occasion in the following parts of the Bill. He would propose to confine the positive application of the Bill to the county corporate towns of England and Wales — to those towns that were made subject to the Municipal Reform Act, and that already possessed regularly constituted bodies, to which the new powers and functions created under this Bill could be applied. They would allow other towns to obtain the benefit of a participation in the Act on petition to the Privy Council; and here he might add, that the Government were willing to drop that part of the measure which reserved to the Crown the nomination of one-third of the commissioners. They would not include the metropolis in the Bill, not that it did not want improvement, but because, acting on the warning which he had received from the noble Lord opposite, the Member for Falkirk (the Earl of Lincoln), he thought it was complicated and difficult enough to warrant them in proceeding, with regard to it, by a separate Bill. With regard to gas works, they would propose in the Bill to give power to the commissioners to construct gas works; but only in towns where such works did not exist before; and also to contract with existing gas companies. They proposed, also, giving the commissioners power to construct water works, and to lease existing water works. It was proposed to value property under the provisions of the Lands Clauses Consolidation Act; and they would reserve to a future Session the right of addressing themselves to the remaining parts of the subject when they should have more leisure to devote to it. Under these circumstances, perhaps, the House would allow the Bill to be now read a second time for the purpose of having it committed *pro formâ* and reprinted, and he should not afterwards propose to take any other step with regard to it until after the Whitsuntide holidays.

Second reading deferred.

House adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Tuesday, May 11, 1847.

MINUTES.] *Took the Oaths.*—The Lord Howard de Walden.

PUBLIC BILLS.—1ª Naval Service of Boys; Drainage of Lands.

Received the Royal Assent.—Customs Duties; Commons Inclosure (No. 2); Prisons (Ireland); Harbours, Docks, and Piers Clauses.

PETITIONS PRESENTED. From James Haughton, of Dublin, against the Sale of Intoxicating Liquors, and praying that all Revenue derived from so objectionable a Source may be relinquished.—From Bradford and several other places, in favour of the Factories Bill.—From Donegal, in favour of a Fixture of Tenure in Land, and for an Equitable Compensation for Improvements effected thereon by the Occupying Tenant.

SUPPLY OF FOOD IN THE COUNTRY.

The EARL of HARDWICKE, in rising to put the questions of which he had given notice, respecting the quantity of corn at present in the country, stated, that it was strongly impressed on his mind that the supply of wheat which we possessed was

not sufficient to sustain our population until the next harvest came in. He was led to this conclusion by the rapid decrease of wheat in his own county, and by all the inquiries which he had made as to the general supply throughout the country. In his neighbourhood, in Cambridge, Huntingdon, Ely, and Royston, the corn markets had been recently attended by buyers from France and Belgium, who had purchased so largely, that in one week corn rose from 96*s.* to 120*s.* per quarter; and, as a further proof of the correctness of the view which he took, he could refer their Lordships to a document which had been placed in his hands. It could not be considered official or authentic; for, unfortunately, they had no means of obtaining such information; but it appeared that some person or persons had endeavoured to ascertain an accurate statement of the condition of food in the country, and had written to accredited persons in the different counties for that purpose. From the statement that had been made in answer to those applications, he should select the places that were in the worst condition, though in selecting those he might assure their Lordships that the condition of the rest was extremely bad. Supposing that the harvest in Scotland last year was of such an extent that, at the commencement of autumn there was enough housed to last until the next harvest came in, as there were now two-thirds of a year elapsed, there ought to be in Scotland at present one-third of the supply of the whole year, or sufficient for four months' consumption; but from the document which he held in his hand it did not appear that such was the case. In Perthshire, it appeared, from the statement of Mr. Playfair, of the Carse of Gowrie, that there was only one-tenth of the wheat of last harvest left; in Lanarkshire, as stated by Mr. D. Gairdner, of Hamilton, one-eighth; in Mid Lothian, as stated by Mr. J. Finnie, of Swanston, there was little for disposal; in East Lothian, as stated by Mr. J. Bruce, of Waughton, the quantity much under the usual stock; in Fife, one-third; in Roxburghshire, one-sixth, according to the account of Mr. J. Brodie, of Hawick; in Wigton, almost all was gone, as stated by Mr. A. H. M'Lean, Stranraer; in Ayrshire, about one-eighth, as stated by Mr. Tennant, of Shields by Ayr; in Stirling, one-sixth; in Forfarshare, one-fourth. That was the state of the supply in Scotland as regarded home produce; and the following list, with the names of those on whose authority the statements were made, showed the condition of England, if the accuracy of that account could be relied on :—Northumberland, stackyards very empty, Mr. John Grey, Dilston; Westmoreland, one-third, J. Crosby, Kirkby Thore; Yorkshire, one-sixth, H. Briggs, Overton, Wakefield; Lancashire, very little, E. Evans, Wigan; Lincolnshire, one-twelfth, R. Westland, Freeston Boston; Shropshire, nearly all gone; Rutland, probably one-fourth, S. Cheetham, Oakham; Huntingdon, nearly exhausted, P. Purvis, Kimbolton; Cambridgeshire, one-fifth, S. Jones, Ickleton; Suffolk, one-seventh, W. Green, Ashfield-place; Monmouthshire, one-tenth, R. W. Puchas; Kent, very short, R. Matson, Wingham; Devonshire, one-eighth, S. Cornish, Kingsbridge; Wales, not one-tenth, E. W. David, Cardiff; and according to the statement of Mr. W. Edmond, Swansea, the stock in Wales was almost exhausted. That was the state of England, Scotland, and Wales, if the accounts in the document which had been placed in his hands were correct; and as it was the only information to which he could have recourse, he would ask Her Majesty's Government if they had any reason to think that those statements with regard to the supply of wheat were well founded? His own impression was, that there was not enough in the country to maintain our population until the next harvest came in; and if the buyers from the Continent were to continue purchasing corn in our markets, he would ask, was there a prospect of an equivalent importation on our part? The competition of the continental buyers with us in the markets of the north of Europe, and on the banks of the Vistula, as well as Odessa, and the ports of the Mediterranean, was such, that we had to look principally to America, and even there the quantity already purchased for Europe was very considerable. If what he had heard stated were true, the prospects for the country were most dismal; and although our condition might be so far irreparable, yet by a proper economy of our corn, and by putting the ship's company on half allowance, we should be enabled to tide ourselves over this trying period, and so arrive at the next harvest in health and security. It would require the greatest economy to effect that object, and it behoved them to lay aside all luxuries and indulgences, in order to accomplish it. Brown bread, made of the whole corn ground, might be used with the advantage

of a great saving of food, whilst a cessation from the consumption of starch would also be the means of increasing in a very considerable degree the supply of corn for food. He did hope and trust that the landed gentry would take the case into their consideration, in their own counties, and take means to prevent the corn from leaving those counties, in order to enable the people to meet a time of emergency. He saw that a noble Lord opposite did not appear to concur with him.

LORD CAMPBELL thought that this course was calculated to encourage mobs —meal mobs as they were called in Scotland.

The EARL of HARDWICKE said, his object was to prevent the stocks being purchased up by the large dealers, and then retailed at enormous increase of price to the people. He hoped that such of the landowners and gentry as had large supplies of corn would hold them in their own hands, so that they would be better able to meet the pressure when it arrived. He begged to ask the noble Marquess, whether he was aware of the quantity of corn then in the country; and if they had not a sufficiency, whether he was enabled to state that a sufficient supply could be procured from foreign countries ?

The MARQUESS of LANSDOWNE was sure that the noble Earl, who had, in the exercise of his public duty, thought it right to put these questions, would feel that they were questions which related to a most perilous subject, and would feel also that he (the Marquess of Lansdowne) exercised a sound discretion in abstaining, on his own part, and on the part of the Government, from hazarding anything like an opinion which might have the effect of deceiving the public or any interest in the country. The noble Earl stated rightly, that in this great country there was no organized machinery by which they could become accurately possessed of the amount of stock in the country, or of the probable amount of demand as compared with that stock. Every individual had the same means of judging as he (the Marquess of Lansdowne) had; every individual had the same means as Her Majesty's Government of collecting information on this subject; and he knew of no information which could be collected more carefully or with greater attention to accuracy—though, as he did not know the particulars, he could not speak to the entire accuracy of his returns —than by the individual to whom the noble Earl had alluded, and who had recently printed the returns he had received. Any opinion, therefore, as to the amount of stock, he should decline to give; but thus much he might say for the satisfaction of the noble Earl—not subscribing to his opinion as to the amount of stock at the end of the harvest of last year—that there had not since the harvest been brought into the markets of this country a more considerable or a greater amount of corn than during the corresponding period of the former year; and, therefore, unless the deficiency of the last harvest was much more than the deficiency of the preceding, it must be presumed that a considerable quantity was now in stock. There he should have stopped, had not the noble Earl gone further; but he should now state to the noble Lord, what he was sure it would be satisfactory to him to know, that there had been an enormous and an increasing amount up to that moment of the importation of corn into this country, not announcing in any degree that diminution of supply at which the noble Earl appeared to be alarmed. In the month of January, in the present year, 661,000 quarters had been imported; in the month of February 557,000 quarters had been imported; in the month of March 929,000 quarters had been imported; and in the month of April 1,043,000 quarters had been imported: thereby indicating an increase proportioned to the amount of the demand, and that on the appearance of the deficiency, of which at an early period of the year the public were not aware, there were corresponding efforts made to supply the demand; and the result would be, if the supply were continued during the entire year at the same ratio as during the last four months, the amount of supply for the year would be 9,000,000 quarters. Another statement, equally satisfactory, he could make in explanation to the noble Earl, and one which, he conceived, was peculiarly satisfactory, as showing the complete command of the markets of the world which had been enjoyed by this country subsequently to the knowledge that there would be no interference here with the course of trade. The moment that was known, an increased and increasing activity was kept up; and the result was, that while, as was unfortunately too well known, other countries were labouring under the same affliction with ourselves, and whilst the demands of those large and populous countries were daily increasing, and

their deficiency was daily more and more confirmed, the whole exportation of corn from the United States to the whole world was 2,170,000 quarters; and of that amount not more than 500,000 quarters had found their way to all the rest of the world, leaving this country in possession or enjoyment of four times the amount exported from America to all the rest of the world. To this statement he could add, that he had no reason to apprehend that the supply from America was likely to diminish; on the contrary, the opinion of those most conversant with the subject was, that the present state of prices, which had unfortunately increased of late, was sufficient to secure not only the whole supply of corn which had been destined for this country, but that a portion of the corn intended for other countries would be diverted from those countries to this. These were the only facts it was in his power to state. He had felt it his duty to state thus much; but he abstained altogether from any anticipation as to what the amount of stock was, or what would be required. At the same time, he agreed that the state of the country rendered it an imperative duty on all persons, so far as their influence and power went, and, above all, in their own families, to inculcate, as a matter of feeling, as well as of economy, the strictest care in the use of food.

Lord ASHBURTON was understood to say that he feared the largest portion of wheat from America had already arrived; there might still be some Indian corn to come, as the harvest of that grain was later; but he feared that the noble Marquess's anticipations of a large future supply, proportioned to what we had already received, would not be realized. It must be remembered that the cause of the deficiency which here had been the source of so much calamity, existed also over a great part of Europe, and it was the duty of the Legislature to open the eyes of the country to the possible consequences. He confessed that nothing would give him greater satisfaction than to see the favourable anticipations confirmed; but he could not entertain them, for inquiries among his neighbours had resulted in much the same information as that stated by the noble Earl (the Earl of Hardwicke). The only question now was, whether they ought or ought not to place restrictions upon the exportation of corn; and he admitted that it would be with great reluctance that he could agree to such a proposal. At the same time we stood in the singular position of being the only distressed country that did not restrict exportation: and there might come a case of necessity for such a step to be taken even here.

Lord BROUGHAM thought this to be a very important subject. Nothing could be worse than concealing the fact of a scarcity. Nothing, on the contrary, could tend more to prevent a dearth from becoming a famine, than to give timely notice of its approach; he therefore thanked his noble Friend for having brought the subject before the House. He wished he could say that he experienced no uneasiness in his mind with respect to the prospects of the country for the next two or three months. He was, however, quite clear upon one subject—that the advice of his noble Friend (the Marquess of Lansdowne) was sound advice, and that it was the imperative duty of all in their Lordships' station and in the middle classses of society to practise and to inculcate in others the most strict and rigorous system of economy, especially in husbanding the great and fundamental resource that constituted the prime staff of life. With respect to the labouring classes, they unhappily required no stimulus to exercise economy, because the rise of prices imposed it upon them as a necessity, and in this respect a rise of price operated usefully to correct the effects of improvidence in a season of scarcity. He felt the great importance of what had fallen from his noble Friend (Lord Ashburton) as to the very great impolicy of interfering with the export trade of this country in corn. It would tend at a time of pressure such as the country was suffering under to frustrate and defeat their own object, by preventing a sufficient supply coming to England from America; for he entertained not the least doubt that the immense supplies of corn which his noble Friend (the Marquess of Lansdowne) had stated had arrived in this country within the last four months—amounting to between 3,000,000 and 4,000,000, of quarters—had been brought hither with the view to re-exportation. And all this corn had come from America, for it was impossible that any portion of it could have arrived from the Baltic, the cold season having shut up that sea. So great was the amount of importation, that within the last four or five weeks there had been sufficient to supply this country with one fifth of a whole

year's consumption. To what did he ascribe this? Undoubtedly much of it was to be attributed to the great demands for our manufactures, which were purchased by corn which was then bonded for re-exportation. He should be loth to draw a line between British corn and foreign corn; and if they were to attempt to allow the re-exportation of foreign corn and not of British corn, they would experience the greatest difficulty in distinguishing between the one and the other. He hoped their Lordships would give great attention to the subject before they ventured to interfere with the corn trade.

SOUP KITCHENS (IRELAND).

Earl FITZWILLIAM: Their Lordships would recollect that a temporary Act for the relief of the poor of Ireland, commonly called the Soup Kitchen Act, had been passed. He thought their Lordships ought to know how it had operated; he therefore begged to ask the noble Marquess whether the Government were prepared to give any information as to the extent to which the Act had been put into operation; what rates had been levied; how much had been received; and what amount there was in arrear?

The Marquess of LANSDOWNE could inform his noble Friend that a statement had been lately received from Ireland respecting what had been done under the Act in question; but he certainly considered that more time was required for the Bill to work before any satisfactory information could be obtained upon the subject.

IRISH CLERGYMEN IN ENGLAND.

Lord MONTEAGLE presented a petition from the Rev. Dr. Thorpe, complaining of the refusal by the Bishop of London, to authorize the appointment of an Irish clergyman as curate of Belgrave Chapel. In introducing the subject, he expressed his deep regret at the necessity he was under of remarking on the conduct of any right rev. Prelate. If the objections urged by the right rev. Prelate in this case against the appointment sought for had rested on spiritual grounds, nothing would have induced him to bring the matter under the notice of Parliament. As the objection taken was purely secular, and one on which a lay Peer was just as competent to form a judgment as any of the right rev. Bench, he had willingly consented to present this petition to the House. It came from a gentleman with whom he had the honour of being but slightly acquainted, the minister and proprietor of a proprietary chapel near Belgrave Square, called Belgrave Chapel, in which he had officiated during thirty years. In the year 1846 the rev. gentleman was desirous of leaving this country for the purpose of spending two months on the Continent. He was desirous of appointing an additional curate to officiate during his absence; and, although he did not conceive himself either by law or usage bound to name to the Bishop of London the gentleman whom he intended to appoint as a curate, still, out of respect to his diocesan, he felt it necessary to communicate his name; describing him, at the same time, as a clergyman perfectly qualified for the curacy, and offering to submit his testimonials to the right rev. Prelate, if he desired it. This communication brought an answer from the right rev. Prelate, which was set forth in the petition. It was dated 20th July, 1846, and was couched in the following extraordinary terms:—"If Mr. —— (naming him), who, I suppose, is an Irish clergyman, has been allowed to officiate in any English diocese, I am ready to admit him into mine; but, if not, I shall be under the necessity of declining to do so." Now this letter taken by itself, amounted to a general declaration on the part of the right rev. Prelate, that if a curate proposed to be appointed to a London parish were an Irish clergyman, and had not been previously admitted to discharge his functions in any other English diocese, the Bishop of London would refuse to admit him. If the objection had been taken on the ground of insufficiency in doctrine, morals, or knowledge, he should have said that upon all these points the Bishop was the proper judge; and he (Lord Monteagle) would have refused to present a petition complaining of such a decision. But the point now raised, and this in the year 1847, was not the disqualification of an individual on account of insufficient doctrine, morals, or learning, but his disqualification because he was an Irish clergyman. In calling the most serious attention of the House to this petition, he did not view the question as one concerning merely their petitioner and his diocesan; but one affecting the character, the feelings, and the interests of the whole body of the Irish clergy, as secured by the Act of Union. It was on this account that he recommended it to their Lordships' consideration. He must pause to ask what was meant by

an "Irish clergyman?" Did it mean Irish by birth, or Irish by education, or by the circumstance of having received holy orders in Ireland? He recognised neither Irish clergymen nor English clergymen; he knew them both only as clergymen of the Established Church of the United Kingdom. He did not recognise, neither did he admit the right of any man to recognise, such distinctions; and least of all when drawn for the purpose of establishing an invidious, unjust, and, he would add, an illegal inferiority. Such distinctions, he must say, were not only invidious, but at the present moment were most peculiarly inapplicable. When their Lordships considered the state of the Irish Church in past and present times, there never was a moment in which the clergy of Ireland were more entitled to respect and gratitude. At an earlier period the Irish Church had been considered a sort of appanage, out of which young English clergymen were to claim the richest and highest endowments. But better examples were also to be found. Even in times less pure than our own, the Church in Ireland, however, had not only been made the mode of making provision for the clergy of this country, but it had been connected with some of the most glorious and dignified names that belonged to the United Church of the two countries, or with the Christian Church of the world. He did not regret that the episcopal bench of Ireland had so often been distinguished by the appointment of so many Englishmen, when he remembered that even before the Union the Church of Ireland had derived from the Church of England men whose character and attainments shed upon it the highest lustre; and that the Irish branch of the Establishment had been adorned by the pious eloquence of the English Jeremy Taylor, as well as by the learning and faith of the Irish Usher; by the meek devotion of the English Bedell, as well as by the imaginative philosophy of the Irish Berkeley. The most reverend Prelate whose turn of duty brought him to attend the services of their Lordships' House this year, who was second only to the ecclesiastical head of the Church in Ireland, was an Englishman. He did not regret the appointment of his most reverend Friend (the Archbishop of Dublin); on the contrary, he rejoiced and triumphed in it. It strengthened his argument. But if the Master of Albion Hall was held deservedly fit to be Archbishop of Dublin, an Irishman could not as such be unfitted to be a curate in Belgrave Square. As a distinguished man in the Irish House of Commons, Sir Boyle Roche, once said, "A bargain should not be made in which the mutuality was all upon one side." In vain might he examine the English Church for the promotion of any eminent Irish divine. He did not now stop to complain of this; but he did complain that there should be on the part of any Englishman a disposition to draw an invidious and disparaging line between the inhabitants of two countries which ought to be in all respects united, and to say that an Irishman should not be allowed to enter freely and honourably wherever an Englishman would be received. This miserable spirit of exclusion had been manifested on other occasions. He could not but feel that with respect to appointments in other professions besides the Church, Irishmen had just reason to complain. He could not forget that one of the most eminent men who had ever sat in either House of Parliament—a man whose noble and masculine eloquence would live as long as the records of English Parliamentary proceedings were permitted to endure—he could not forget that the present Lord Plunkett, on his appointment of Master of the Rolls in this country, had been opposed by a wretched professional cabal, on the sole ground of his being an Irishman. Now, he regretted that his noble and learned Friend had not braved the paltry prejudice, and had not overcome it, as his force of character and dignity of mind and pre-eminent abilities would have enabled him to do. But the clamour had been allowed to triumph. Yet who was the person who had been appointed to the office of Lord Chancellor in Ireland on the first vacancy which had afterwards taken place? Why, it was Sir Anthony Hart, an excellent and able lawyer, no doubt, but a member of that very English bar which had refused to recognise the appointment of Lord Plunkett to the office of Master of the Rolls in England. Now, he again begged to repeat that he was far from objecting to the appointment of Englishmen to office in Ireland; on the contrary, he wished to see the most competent persons appointed to office in either country without any reference to the particular part of the empire in which they might have been born. He would earnestly warn their Lordships against the imminent danger of drawing a distinction between

the two branches of the Established Church, even if it were assumed or conceded that a distinction between the inhabitants of the two countries were justifiable in any other case. He believed there was no safety for the Church in Ireland for one hour, if the Protestant Episcopal Church of England and Ireland, as it was termed in the Act of Union, were not considered one and indivisible in the two countries. No statesman could defend the Irish branch of the Church for one single moment if they were to regard it as a separate establishment. Its strength consisted in its union with the Protestant Episcopal Church in this country; and anything that shook that union would seriously endanger its stability. How, he would ask, could its stability be more endangered than by drawing a line of invidious distinction which would recognise the two Churches as separate establishments? The Fifth Article of the Act of Union provided that, "The Churches of England and Ireland, as now by law established, be hereafter united in one Protestant Episcopal Church, to be called the United Church of England and Ireland." Now, he should observe, that if there ever was a time in which they would be justified in drawing a distinction between two Churches so united, the present was not that time; for if any Church had ever entitled itself to general respect and admiration, it was the Church of Ireland at the present day—a Church which had shaken off the ancient dross arising from her peculiar position in a country professing a faith different from her own, and which had become reformed and improved in a manner seldom or never paralleled. Nor was this all; the exertions made of late by the members and ministers of the Church of Ireland to meet the fearful exigency which had overtaken that country, entitled them to public gratitude, if civil services were ever entitled to that gratitude. He had no hesitation in saying, that the position in which the ministers of the Church of Ireland had lately placed themselves, had not only commanded the admiration of their friends, but had reconciled to them some of their most bitter political and religious opponents. He had himself seen the priest and the clergyman working together for good, and he had seen Roman Catholics, who in remote districts had few, if any beside, to look up to; he had seen them respect and venerate in the Protestant minister of religion, not their spiritual guide, which he could not be, but their firmest support, their parent, and their friend. He had stated at the outset that if the objection taken to the licensing of Irish clergymen was one of an ecclesiastical character, he should not have alluded to the subject. But it might be supposed possible that it was not to Ireland as a place of birth, but as a place of education, that the right rev. Prelate had objected. He found that such could not be the nature of the objection taken by the right rev. Prelate, as he had himself expressed an opinion in writing to the effect that the course of study pursued in the University of Dublin, as a theological school, far surpassed the course in Oxford and in Cambridge, and that he earnestly desired to see that very Irish system substituted for the course pursued in the English Universities. In conclusion, he wished to observe, that if in the remarks he had just made, a single word had dropped from him inconsistent with the highest respect for the right rev. Prelate and for his order, he wished it unsaid, and he begged leave to apologize for his indiscretion. But the subject was one of the highest importance. It involved the first principles of justice; it likewise involved the interests, the feelings, and the character of the clergymen of Ireland. He therefore deemed it his duty humbly but firmly to beg of their Lordships, and to demand from the public, that no right, or dignity, or authority belonging to the branch of the Established Church in this country should be withheld from the corresponding branch in Ireland, or from the humblest of its members.

The BISHOP of LONDON said: My Lords, I shall trouble your Lordships with only a few observations in reply to the speech of my noble Friend; but by those few observations I hope to be able to satisfy your Lordships, that in the course I have pursued in reference to the matter of this petition, I have not been guilty of any intentional disrespect towards the Irish branch of the Established Church. I must, in the first place, return thanks to my noble Friend for the manner in which he brought the petition under your Lordships' notice. Not a word that fell from him was calculated to give me the slightest pain, except in so far as his remarks showed that he had been led to think that I did not do justice to the Church in his country. My Lords, no person is more ready than I am to do justice to the merits and claims of that Church; and I fully participate in the feelings of respect and sympathy

which my noble Friend has expressed, for that meritorious and unhappily now suffering branch of the Church of the United Kingdom. I believe that no panegyric can be too high for the conduct of the Protestant clergy in Ireland, and pre-eminently for their conduct during the last few months. Your Lordships must not suppose that the regulation to which the petition refers is a regulation adopted by me within the last few months, or even within the last few years. It is a regulation that has been in operation for the last twenty-three years; and yet this is the first time that any complaint with respect to it has been made. When I was Bishop of Chester, I certainly found it necessary to discourage the influx of Irish clergymen into that diocese. I discouraged it on more grounds than one; and two of those grounds in particular appeared to me to be valid. In the first place, I did not think it right that young men educated for the service of the Church in Ireland, and ordained for that service, should take an early opportunity of quitting that Church, especially considering the difficulties which surrounded it, and should come over to England to seek for other and less irksome duties. I conceive that, far from being guilty of any disrespect towards the Irish branch of our Church, I was showing my sincere regard for it by discouraging the emigration of her young and active clergymen from a field of ministerial duty in which all the energies of her best, and wisest, and holiest servants were urgently required. Another circumstance which influenced me in the course I took, with respect to candidates for ordination, was my knowledge of the state of theological education in the University of Dublin at that time—an education which has since been greatly improved, and which now deserves the highest praise—as well as my knowledge of the practice prevailing among young men engaged in business of going over to that university from England, passing a short time there, and then obtaining their degrees, and returning to this country with a view to obtain those situations in the Church here, to which young men, educated in the English universities, at considerable expense, naturally looked forward, and to which they might be considered more fairly entitled. I therefore thought it my duty to discourage the immigration of Irish clergymen into my diocese. The rule, however, was at no time rigidly adhered to, and I never refused to license Irish clergymen when I was satisfied that there was any good reason for their coming over to this country. I believe there are at the present moment in this diocese nearly, if not quite, as many Irish clergymen whom I have licensed, as there are Irish clergymen to whom I have refused licenses. It is a remarkable fact, that, although this regulation has been generally known for the last twenty-three years, I never heard a word of remonstrance or expostulation upon the subject from any of the Prelates who adorn the Irish bench. Now, I must say that if Dr. Thorpe, who is a clergyman in my diocese, and who is bound by his canonical vows to respect me as his bishop—I must say that if he thought he had any reason to complain of any regulation of mine, as imposing any restrictions on his countrymen, inconvenient to himself and injurious to the Irish Church—he ought, in my opinion, to have laid his grievance in the first instance before the Primate of that branch of our United Church. And I have no hesitation in saying, that if that eminent and admirable person had thought fit to express an opinion to me that the regulation in question was inconsistent with those bonds of friendly and intimate connexion which should unite the two branches of the Established Church, I should at once have acquiesced in that opinion. But what did Dr. Thorpe do? Why, instead of referring to me, or to the Primate of the Irish Church, in a case which he called an intolerable assumption of authority, he brings me before your Lordships by means of a petition, which has not been read to you, but which indulges in far stronger language than any which my noble Friend has thought proper to employ. I believe that the fact of my not having refused to license any Irish clergyman who showed good cause for his being licensed, is sufficient to exonerate me from the charge of having intended to cast even a shadow of disrespect on the Irish branch of the United Church—a branch for which I entertain the most cordial esteem and regard. If anything else were necessary to show that I did not mean any disrespect to that branch of the Church, I might state that I have conferred some of the most valuable and important livings in my gift on Irish clergymen, and that I have given to an Irish clergyman one of the dignities of St. Paul's Cathedral. I must observe that the conduct of Dr. Thorpe towards me, as his diocesan, had

not been of a kind to render it a matter of obligation with me to show him any particular favour. When Dr. Thorpe proposed to me the licensing of the clergyman referred to, I wrote the letter which the noble Lord has read. I afterwards found there were reasons which made it not improbable that I might without difficulty license that clergyman, and I told him that he might at all events go and officiate in Dr. Thorpe's chapel, and that when Dr. Thorpe returned from the Continent it would be time enough for me to determine about the licensing. Dr. Thorpe then wrote his letter charging me with an assumption of power, setting me at defiance, and threatening me with an appeal to your Lordships. I felt, under the circumstances, that I could not consistently with what was due to my own authority, license the clergyman in question for Dr. Thorpe's proprietary chapel; but, from information I afterwards received, I told that clergyman that I would be ready to license him to any other curacy. He did not, however, accept the offer, although he thanked me for having made it. Since that time I have licensed Irish clergymen. But the general regulation alluded to continues, and will continue, for the reasons I have stated to your Lordships. I beg leave once more to declare that nothing could be further from my mind than an intention to show any disrespect to the Irish Church. On the contrary, I entertain a deep attachment and regard towards that Church, while I feel unwilling to take from it any of its ministers, well knowing, as I do, that the number of those ministers is already too small, and that the difficulties they have to contend with have of late been greatly increased. My Lords, I now beg leave to thank you for the kindness with which you have heard me. I believe I have done nothing unlawful. I have acted under a regulation made public during the last twenty-three years, and on that regulation I shall, with the blessing of God, continue to act, until some competent authority shall have declared it to be illegal.

The Earl of CLANCARTY could say without fear of contradiction, that the Irish clergymen generally were distinguished for all those qualities the possession of which was necessary to constitute Christian ministers. He deprecated the system of exclusion, which under the statutes of some English institutions prevailed, with regard to the admission of Irishmen. Such a system of exclusion in any respect, particularly in a case like that then under consideration, was most inexpedient, and particularly at a time like the present, when everything ought to be done to unite the two countries more closely; and he regretted that such a distinction should be drawn or persevered in as the right rev. Prelate opposite had stated. He lamented that any distinction of race should be brought forward in such matters. Any Englishman who had ever visited Ireland could bear testimony to the manner in which he was received there, whether filling any office in the Church, the State, or the Law. Now, though others had filled situations of various kinds in Ireland, no Irishmen were promoted to similar offices in England or Scotland. Though this distinction of race was most reprehensible in all matters, it become particularly so in those connected with the Church.

The Earl of MOUNTCASHEL said, he was gratified to perceive from the speech of the right rev. Prelate that he had nothing to urge condemnatory of the character of the Rev. Dr. Thorpe — a gentleman whom he esteemed most highly for his great talents and elevated character. He concurred fully in the prayer of the petition, as it was clear that if all the Prelates of the kingdom were to adopt a similar system of exclusion as that followed by the right rev. Prelate, Irish clergymen would be kept out of England altogether.

LANDED PROPERTY (IRELAND) BILL.

The Marquess of LANSDOWNE moved that the report on the Landed Property (Ireland) Bill, with the Amendments, be received. The first of these Amendments was with respect to farm-buildings. He admitted, that the extensive improvements contemplated by the Bill could not be completely carried into effect without a power being given for the erection of buildings; and he would beg to move, therefore, that the erection of such buildings be allowed in all cases where the Commissioners should think them necessary and essential.

Lord MONTEAGLE begged to ask whether any provision was proposed to be adopted, in accordance with the suggestion of a noble Duke on a former evening, for requiring the insurance of buildings to be erected under the Act?

The Marquess of LANSDOWNE said,

the next Amendment which he had to propose was, that all mills and farm-buildings erected under the Act should be required to be insured during the payment of the instalments under the Act. Another Amendment was to give the Commissioners power to extend the time for the completion of the works to a period not exceeding two years beyond the period first fixed, when they should think it was impracticable to complete them in the given time. He next came to the Amendment suggested by the noble Duke for the payment of labour in all cases in the current coin of the realm. He had communicated with a great many persons on the matter, and he was sorry to say that they agreed with him very generally in opinion, that it would be impossible in every instance to carry such an enactment into execution. At the same time, he was so desirous of seeing the principle carried out, that he should propose to introduce words in the Bill recognising that principle, by declaring that in all works undertaken under that Bill the labourers employed should receive payment in money to the full value of the stipulated wages. He could not, however, hold out any promise to the noble Duke that the clause would not in many instances be evaded. In fact, he could mention two or three instances, at the moment, in which it would be impossible to guard against such evasion.

The DUKE of WELLINGTON observed, that his entire object would not be obtained by the enactment under this measure proposed by the noble Marquess. His object was to produce an alteration of the present system generally throughout the whole of Ireland, by means of an enactment. His opinion was, that the greater part of the evils of Ireland had been occasioned by the course followed there with respect to the labourers; and he was anxious so to change the system that those labourers should be paid wages in money, either by the day, half-day, or week, as might be arranged. The evil at present consisted in paying labour by means of land, out of which the poor labourer was forced to raise his subsistence, and the rent imposed upon the land. This evil was felt in Ireland more than in any country in the world. It was one fatal to its prosperity, and he wished to apply a remedy by substituting for such a practice the payment of money wages. The proposal now made by the noble Marquess, though it did not provide against the whole evil, yet would do so to a certain extent; and he therefore thanked the noble Marquess for having brought it forward. He was firmly convinced, however, that till they came to a final arrangement as to this matter, and provided a full remedy, they would not attain the object they had in view with reference to the labourers of Ireland, or raise them to the same condition with the labourers of this and other countries; and he repeated, that this never could be done till the system of keeping them, as at present, on the land, there to raise the means of subsistence for themselves, was abandoned, and the mode adopted of paying their labour in wages.

The MARQUESS of WESTMEATH admitted that the practice so strongly condemned by the noble Duke had tended, in a very great measure, to reduce Ireland to that condition in which she now suffered; but at the same time he doubted if any direct enactment like this would meet the evil. It was unquestionably the interest of all the proprietors of the soil to do away with the conacre system, for no one possessing his senses would let his land in conacre. Those only who wanted to get a turn out of the land had recourse to such a system, and the only remedy was to prevent the rent being recoverable by law.

Amendments agreed to. Report received.

House adjourned.

HOUSE OF COMMONS,

Tuesday, May 11, 1847.

MINUTES.] PUBLIC BILLS.—2° Health of Towns; Incumbered Estates (Ireland); Turnpike Roads (Ireland); Lunatic Asylums (Ireland).

Reported.—Poor Removal (England and Scotland); Service of Heirs (Scotland).

3° and passed:—Poor Relief Supervision (Ireland) (No. 2); County Buildings.

PETITIONS PRESENTED. By Mr. M. Philips, from Manchester, for Alteration of the Law of Registration of Voters.—By Mr. P. Miles, from Bristol, for Alteration of the Law of Marriage.—By Mr. Lockhart, from Members of the Parochial Board of Govan, against the Marriage (Scotland) Bill.—By Mr. Plumptre, from Pimlico, for the Exclusion of Roman Catholics from Places of Trust; and from Baldock, against the Roman Catholic Relief Bill.—By Sir H. Fleetwood, from Preston, in favour of the Roman Catholic Relief Bill.—By Mr. Brown, from London, for Inquiry respecting the Rajah of Sattara.—By Sir T. D. Acland and other hon. Members, from several places, in favour of the Agricultural Tenant-Right Bill.—By Captain Carnegie, from several places, for Regulating the Qualification of Chemists and Druggists.—By several hon. Members, from a great many places, for and against the proposed Plan of Education.—By Mr. Adderley, from Factory Operatives of Almondbury, for the Ten Hours Factories Bill.—By several hon. Members, from numerous places, in favour of the Health of Towns Bill; and by Mr. Callaghan, from Cork, for its Extension to Ireland.—By Sir A. L. Hay and other hon.

Members, from several places, in favour of the Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland); Transference of Land (Scotland); Service of Heirs (Scotland); and Crown Charters (Scotland) Bills.—By Mr. Stansfield, from Huddersfield, against the Highways Bill.—By Mr. T. Duncombe, from Lewis Phillips, for Inquiry respecting Lunatics and Lunatic Asylums.—By several hon. Members, from a great many places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Mr. C. Round, from Coggeshall, for Alteration of the Poor Law.—By Mr. Bankes and Mr. W. Miles, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. R. Currie, from Northampton, for the Suppression of Promiscuous Intercourse.—By Sir A. L. Hay and Mr. Lockhart, from several places, against the Registering Births, &c. (Scotland); and Marriage (Scotland) Bills.—By Mr. W. Miles, from Guardians of the Shepton Mallett and Axbridge Unions, for Alteration of the Law of Settlement.—By Captain Pechell, from John Quail, M.D. of 52, Howland Street, London, for Inquiry into the case of Mr. Martha Eliza Rhoda Shuttleworth.

CAPTAINS OF MERCHANT VESSELS.

In answer to a question from CAPTAIN FITZROY,

MR. M. GIBSON said, he was not aware that there was any intention of introducing a Bill rendering it compulsory on the masters of vessels to undergo an examination before taking their command.

HEALTH OF TOWNS BILL.

MR. G. PALMER inquired whether those clauses were to be retained in the Health of Towns Bill which related to the compulsory seizure of property belonging to water companies, except those in London?

VISCOUNT MORPETH had stated last night that he meant to alter those clauses, and that compensation would be provided in the same way as for land under the Land Compensation Act.

FURTHER SUSPENSION OF THE NAVIGATION LAWS.

MR. MITCHELL said, the noble Lord at the head of the Government had given notice of his intention to propose a further suspension of the Corn Duties. He wished to know whether it was the noble Lord's intention also to propose a further suspension of the Navigation Laws?

LORD J. RUSSELL: I do mean to propose a further suspension of the Navigation Laws; but the precise mode in which I shall do so requires further consideration. I must reserve myself as to the mode, until I make the Motion of which I have given notice to the House.

WRECK OF THE THETIS.

VISCOUNT INGESTRE said, that it appeared a charge had been made by the Admiralty in the case of the *Thetis*, for the use of the ships employed in the recovery of the treasure sunk in that vessel. The Secretary of the Admiralty had promised to inquire what had become of the money, and whether it had been carried to the public account.

MR. WARD had made inquiry, and found that the sum in question, 13,000*l*., had been carried to the public credit in September, 1834, and appeared in the Navy Estimates of that year.

HOLYHEAD HARBOUR.

MR. W. R. COLLETT would be glad to know the cause of the delay in the report of the Commission of Inquiry respecting the harbour of Holyhead?

MR. WARD could assure the hon. Member, that not a minute had been lost in the proceedings of the Commissioners. The question submitted to them was a truly important one, and the Commissioners were taking evidence with great impartiality. They found that they required evidence as to the holding ground at the bottom of the harbour, and that a personal investigation was necessary. A diving-bell had been placed at their disposal by the Admiralty, and it was the intention of the gentlemen constituting the commission to fulfil, as speedily as possible, the duties assigned to them.

MR. W. R. COLLETT said, it was important to know whether the report of the Commissioners would be presented in sufficient time to allow of the Bill being passed this Session?

MR. WARD could give no assurance on that point. He understood it was arranged that proceedings on the Bill would be suspended until the report of the Commissioners should be received.

POOR REMOVAL ACT.

LORD J. RUSSELL said, the Government would offer no objection to the Motion of the hon. Member for Dorsetshire (for leave to introduce a Bill to repeal the first clause of the Poor Removal Act). The discussion could be taken upon the second reading.

MR. BANKES then moved for leave to bring in a Bill to repeal the First Clause of the Act 8th and 9th Victoria, cap. 66—the Poor Removal Act.

SIR G. GREY hoped it would be remembered that no Member of the House, and still less of the Government, was pledged to the principle of the Bill of the hon. Member for Dorsetshire. He only assented to the introduction of the Bill on

the understanding that the objections which he felt to the measure remained in full force.

Mr. T. DUNCOMBE thought it all very well on the part of the Government to say, that they did not pledge themselves to the principle of this Bill by consenting to its introduction; but he was afraid the country would misunderstand the course they were taking. A very small section of the House would, he believed, be found in favour of this Bill, which would unsettle the relief of the poor in several parts of the country while it was before the House. The consent of the Government to-night, when they had business which they wished to bring on, meant that they would rather have the hon. Member's Bill than his speech. If the House were to hear that speech, and had the report of the Committee up stairs, he believed they would not consent to the introduction of the Bill. The country, he hoped, would understand that this was a mere moonshine Motion, to which the Government agreed rather than have the hon. Gentleman's speech.

Sir J. GRAHAM was always anxious to consult the wishes of the House and the progress of public business, and it was only on those grounds that he could consent to the introduction of the Bill of the hon. Member for Dorsetshire to repeal the very important provisions of the Act of last Session. He was most happy to hear that, in the next stage of the Bill, the Government had determined to give it their decided opposition. He was anxious that it might be known that, though hon. Gentlemen acceded, in deference to the convenience of the House, to the introduction of this Bill, they entertained strong objections to the measure.

Mr. E. DENISON thought it most important that the second reading of this Bill should be fixed for some early day, so that the course which the House really intended to pursue with regard to it might be known to the country, or otherwise the inconveniences already felt would in all probability be augmented by the introduction of the Bill, without any decision being come to on the subject. He hoped, therefore, that the Secretary of State for the Home Department would allow the Bill to be read a second time on the earliest possible day.

Sir G. GREY was anxious that there might be no mistake as to the opinions of the Government with regard to this Bill, for their opinions were already fixed. It was impossible for him, in the present state of public business, to name any Government day for proceeding with the measure.

Mr. V. SMITH observed, that a Committee had been sitting for some time upstairs on the Law of Settlement; and he thought it most important that the House should be acquainted with the opinions of that Committee on this question. He would recommend his hon. Friend (Mr. Bankes) to withdraw the Bill for the present, and to give notice of it for some day when a discussion might be taken upon it. Whether this Bill were carried or not, he considered that an opportunity ought to be afforded for the discussion of the subject to which it related; because these perpetual changes in the laws affecting the poor were attended with the greatest possible mischief. He believed, that if the Committee on the Law of Settlement did not report this Session, the Government would be obliged to alter the existing law in certain particulars.

Mr. BANKES said, that if the Government would promise to take this Bill into their own hands, and amend it, he would withdraw his Motion; but in the absence of this intimation, he should feel it his duty to persevere. It would have been more agreeable to himself to have taken the discussion at that time. He did not, however, under present circumstances, desire to throw any obstacle in the way of the business of the House; and should therefore be contented with fixing the earliest possible day for the second reading, when the discussion might take place. He thought he had gained some advantage by the step he was now permitted to take.

Mr. HUME did not clearly understand the object of this proceeding. He remembered that this Act had been brought in as a sort of compensation to gentlemen of landed property for the repeal of the corn laws; and it was rather extraordinary that one of the landed proprietors of that House should come forward to move that it be rescinded. He did not think that they should accede to the proposition of the hon. Gentleman. He should rather hope that Government would object to the Bill altogether; and he trusted, therefore, that the sense of the House would be taken on the Bill, so that it might be got rid of at once.

Mr. C. BULLER observed, that he happened to be the chairman of the Committee which had been referred to, and which had been appointed to inquire into the Law of Settlement; and he must say that he was glad his right hon. Friend

(Sir G. Grey) was prepared to take the course he had intimated with reference to this Bill, because, in his opinion, it would relieve the Committee and the House from great difficulties. The fact was, the great difficulty of the Committee arose from the exceeding vagueness with which Gentlemen talked, and the extraordinary diversity of opinion which prevailed upon this subject. There were, in the Committee, not merely two conflicting opinions, but a very great variety of conflicting opinions, with reference to this question. An attempt had been made to bring the Committee to a decision to repeal the existing law; but to that proposition they were very generally opposed. It was then suggested that a very simple resolution might be proposed—namely, that the Committee agreed that the Act of last Session ought to be amended; and that proposition was unanimously assented to; but when it was asked in what sense the law should be amended, it was found that all the Members of the Committee were for amending it in different ways. A very general opinion was entertained in the Committee that there were many evils resulting from the Act of last Session; but the greatest diversity of opinion prevailed as to the proper remedy to be applied. He thought the hon. Member for Dorsetshire (Mr. Bankes) had taken a proper and manly course in embodying his views in a Bill, because the House might then at once see what the proposal of the hon. Gentleman was; and they would be able to discuss the question much better than they could do on general and vague declarations that some amendment ought to be made in the present law.

Leave given.

LOAN—DISCOUNT ON INSTALMENTS.

Order of the Day read for bringing up the report on the Resolutions agreed to in Committee last night, for allowing discount on the payment of instalments of the 8,000,000*l.* loan.

The report brought up. The Resolutions read a first and second time, and agreed to *nem. con.*

A Bill founded on the Resolutions was ordered to be brought in.

[These proceedings excited some surprise, as all other business had been postponed to allow a discussion on the Loan Discount Resolutions; and none arising, the question of Adjournment was put amidst cries of "Hear, hear," and considerable laughter. The House adjourned at Six o'clock.]

HOUSE OF COMMONS,

Wednesday, May 12, 1847.

MINUTES.] PUBLIC BILLS.—1° County Election Polls; Loan Discount.

PETITIONS PRESENTED. By Lord J. Manners, from London, for Inquiry respecting the Rajah of Sattara.—By Mr. Brotherton, from Hyde, and Mr. Hughes, from Carnarvon, against the Use of Grain in Breweries and Distilleries.—By Viscount Morpeth, from London, complaining of the Window Tax.—By Mr. Christopher and other hon. Members, from several places, for and against the Agricultural Tenant-Right Bill.—By Mr. B. Hughes, from a great many places, against, and from Carnarvon, in favour of, the proposed Plan of Education.—By Sir J. Duckworth, from Saint Leonard, against, and by other hon. Members, from several places, in favour of, the Health of Towns Bill.—By several hon. Members, from two places, against, and an immense number of places, in favour of, the Medical Registration and Medical Law Amendment Bill.—By Mr. Hudson and other hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Lord Robert Grosvenor and Mr. Spooner, from several places, for the Suppression of Promiscuous Intercourse.

WEDNESDAYS' SITTINGS.

On the Motion that leave be given to all Committees to sit till Five o'clock during the sitting of the House.

SIR R. H. INGLIS wished to call the attention of the House and the Government to the inconvenience of the House and the Committees sitting at the same time on Wednesday. On that day many most important measures were appointed for consideration in the House, and by the rules that had been adopted it was compulsory on many hon. Members who were interested in those questions to be absent, in consequence of having to attend Committees. It was, for instance, extremely inconvenient that such measures as the Pious and Charitable Purposes Bill, and other important measures, should be appointed for consideration when Members who took an interest in them were compelled to be absent. He trusted that the Government would adopt some measure to remedy the inconvenience.

SIR G. GREY fully admitted the inconvenience which arose from the absence of the Members who were attending on Railway Committees. According to the new arrangement five Members were necessary to the proceedings of a Committee, and every one felt how very difficult it was for them satisfactorily to discharge their proper duties. It was, however, much easier to admit the inconvenience than to provide the remedy. The twelve o'clock sittings on Wednesday had met with very general approval amongst the Members of that House; they all felt the great relief of being liberated during one evening in the

week, at the same time that every one must feel the inconvenience of proceeding to such subjects as were fixed for that day in a thin House. He would be glad if any arrangement could be adopted that would reconcile the progress of business in Committees with the relaxation which the Wednesday evening afforded.

MR. GOULBURN quite agreed with those who thought that the case was one of some difficulty. He felt the advantage arising from the relaxation which the Wednesday evenings afforded, and yet he was not insensible to the necessity of providing for the progress of business in Committees.

MR. GREENE said, that the House gave leave to Committees to sit, but did not enjoin them to do so, on Wednesdays.

MR. HODGSON suggested that they might resort to the old practice of sitting at four o'clock on Wednesdays.

MR. GISBORNE said, as the Committees had the power of adjourning, it would be better to make some general rule upon the subject. It would be better to make a rule either for the Committees not to sit upon Wednesdays, or for the House not to sit upon Wednesdays. It would be for the Government to determine which would be attended with the least inconvenience.

MR. W. JAMES suggested that the Committees should commence sitting at six o'clock in the evening on Wednesdays, and continue their sitting till midnight.

Motion agreed to.

PIOUS AND CHARITABLE PURPOSES BILL.

LORD J. MANNERS, in moving the second reading of this Bill, said: In asking the House to assent to the second reading of this Bill, I am aware that I have to deal with a subject very far from inviting to most Gentlemen; I must therefore trust to the good nature of the House to bear with me while I endeavour to show how wrong in principle and injurious in practice is the law of George II., which I propose to repeal; and how, in the Bill we wish to substitute for it, we meet all reasonable demands of our opponents on former occasions, while at the same time we remove the worst features of that most uncharitable enactment. Here, at the outset, let me say, once for all, that with the old Mortmain Laws we do not meddle in any way; we do not name them. All that we concern ourselves with is, the Statute of 1736; and if I can show that it was passed on false principles—that it was intended, not as a safeguard, but as an attack upon the Church—that it was a departure from the theretofore spirit of our jurisprudence—that into neither Presbyterian Scotland nor Roman Catholic Ireland did its promoters endeavour to introduce it—that in no other civilized country, at this day, is there a law of such uncharitable severity—and that its operation has been, and is, most injurious to real piety and charity, while obstinate cunning is ever able to defeat it: I trust the House will attach weight to those arguments, nor suffer its attention to be drawn away to laws which applied to a state of society so different from our own, that could our Henrys and Richards come to life again, they would be extremely puzzled to know what was the value of the word mortmain. Sir, I said that the Statute of George II. was founded on wrong principles; but I retract that phrase, for I can discover no positive principle on which it was grounded, unless a desire to throw every conceivable pettifogging obstruction in the way of charity can be called a principle, as I shall afterwards show. That it was a great, almost a revolutionary, departure from the uniform tenor of our jurisprudence, from the Reformation downwards, must be clear to any person who has paid the most cursory attention to Sir F. Palgrave's most interesting history of the laws relating to mortmain and charitable trusts. The Tudors and the Stuarts, their Ministers and statesmen, the Burleighs and Walsinghams, the Bacons and Cokes, the Staffords and Clarendons, nay, even the Burnets and Godolphins, they failed to discover the cankerworm at the core of England's social heart, which it was left for a Jekyl to drag to light, and a Walpole to extirpate. In 1736, and not before, it was seen that the land and liberty of England was in a way to be swallowed up by "a new sort of mortmain, and more especially by a most dangerous charity set up by Queen Anne." Queen Anne's Bounty was the subject of Lord Hervey's famous speech on the second reading of the Bill in the House of Lords, and Queen Anne's Bounty it was against which the jealousy and fears of Hanoverian Whigs were chiefly excited; and, Sir, if I wished to test the fairness and reasonableness of the general apprehensions on which this obnoxious law was passed, I do not know I could do better than to take this very bounty as a

touchstone. It was put prominently forward; an attempt was made in vain to exempt this noble charity of a Sovereign from the harsh operation of this law. The debate contains the following argument against this Royal Bounty :—

"Our Church must necessarily at last, by means of that corporation, become mistress of all the landed estates in England; and when we consider the many and powerful solicitors they have about dying persons, and the present prevailing madness of perpetuating one's memory by leaving a large estate to some body politic, we must conclude that unless a stop be put to it, the event is not so distant as some may imagine."

Well; but at length this formidable charity was entirely freed from all restrictions, and suffered to swallow up all the land of England. But more than that, as with one or two other exemptions, this Queen Anne's Bounty, for the last fifty years, has been the only great charitable corporation to which land can be bequeathed, we may certainly conclude that many who wished to leave their property to some other charity in the first instance, would, when they knew that they could not do so, bequeath it to this favoured object, rather than have their general design defeated. Well, since the corporation was established 145 years ago, what revenue from land does the House suppose the bounty has acquired up to the present day? Just 160,000*l.* a year. That is, an estate equal to the private estate of one of our great nobles. Mr. Hodgson, the secretary to that bounty, handed into the Committee over which I had the honour to preside, an abstract of the receipts of the bounty for the then three years—1841, 1842, and 1843—by which it appeared, that while in those three years its funds were augmented by benefactions in money to the amount of 51,689*l.*, by benefactions of land it only acquired 7,375*l.*; and no man, woman, or child, that I ever heard of, has ever complained of this great charity, which, according to Lord Hardwicke and Sir R. Walpole, was to swallow up the land of England, and to which, we learn from Mr. Hodgson, all ranks of the community, from the bishop to the tradesman, love to contribute. But while no harm has been done to individuals or the State by this great charity, let me ask the House, let me ask the right hon. Gentleman the Member for Tamworth, if no great good has been accomplished by it? Why, Sir, had it not been for this bounty, so hated by the framers and vindicators of this Act which I ask you to repeal, the Government of the right hon. Gentleman, which did so little for the Church, so little for the education of the people, would have done still less. Whatever benefit religion has derived from Sir Robert Peel's Act, it owes to this Bounty of Queen Anne. My case, therefore, is proved by the chief witness called by Lord Hardwicke and Sir J. Jekyl on the other side. But what was the law previously to 1736? From the Reformation to that year, for nearly two centuries, Englishmen had been free to leave their lands or their money to any good and charitable purpose, allowed by the laws to be such; nor can I find in any of those histories and journals which throw so much light on the events of that important era, the slightest proof that any evil resulted from that freedom. The Church, and the bishops, cathedrals and surplices, were attacked, destroyed; a pamphleteering war of unrivalled bitterness might assail them during one period of that time; the Roman Catholics during another might be held up to public odium as traitors and murderers; but I cannot discover that this freedom to bequeath property to charitable purposes was ever complained of during that long period, or that this great change in the spirit of our jurisprudence was called for by any practical grievances whatever. I shall now proceed to show what were the real motives of this change, and I think I shall be able to convince my hon. Friend the Member for the University of Oxford that a regard for the Church of England had no share in producing the uncharitable law of 1736. Sir, by the kindness of a noble Friend of mine, I am enabled to give to the House the secret history of this law, written by one of its chiefest supporters. Lord Hervey, the warm friend and supporter of Sir Robert Walpole, who supported in a vehement speech this Bill, left behind him some memoirs of that Minister. They have never been published; and consequently, as I cannot refer hon. Gentlemen to them, I must extract at some length the very curious history of this very curious law; but such is the vigour of the style, so racy and novel are the facts it relates, and so curious is the light it throws on the actors in the transaction, that I am sure the House will be amused as well as informed by what I wish to read :—

"All the considerable debates that passed this year in Parliament were upon Church matters; and Parliament, like bull-dogs, sticking close to any hold on which they have once fastened, the

poor Church this winter was as much worried as Sir Robert had been any other. [Here follows an account of the bringing in a Bill for repeal of the Test and Corporation Acts, which was rejected.] There was at this time depending in the House of Commons a Bill brought in by Sir Joseph Jekyl, to prevent the further alienation of lands by will in mortmain; and another for the more easy recovery of tithes from Quakers. The morning after the proposal for the repeal of the Test and Corporation Acts was rejected in the House of Commons, the Bishop of London came to Sir Robert Walpole to thank him in the name of all the Bishops for the part he had acted on this point, &c. The Bishop of London, in this interview, said not one word of the Quakers, but went directly out of Sir R. Walpole's house to the Archbishop of York's, who lived next door but one or two to Sir Robert's, and there, all the Bishops having been summoned to concert what was to be done to defeat the Mortmain and Quakers' Bills, then depending, it was resolved that the Bishops should all send circular letters through their respective dioceses to alarm the clergy, to notify to them what was going on in Parliament, to advise them to petition Parliament, and to tell that the Bishops thought it their duty to give them this warning and this advice. ‖. . . The Queen, when Bishop Sherlock came to her, chid him extremely, and asked him if he was not ashamed to be overreached in this manner a second time by the Bishop of London; and, after all she had said to him to point out his folly in following the Bishop of London in Rundle's affair, how he could be blind and weak enough to be running his nose into another's dirt again. The King, with his usual softness in speaking of any persons he disliked, called the Bishops, whenever he mentioned them in private, on this occasion a parcel of black, canting, hypocritical rascals, and said the Government was likely to go as well if these scoundrels were to dictate to their Prince how far he should or should not comply with the disposition of his Parliament; and to be giving themselves these impertinent airs in opposing everything that did not exactly suit with their silly opinions; and indeed Church power was so little relished at this time, and Churchmen so little popular, that these cabals and combinations of the Bishops to oppose and influence the transactions of Parliament, and to irritate the passions of the inferior clergy, were generally exclaimed against and condemned. The Mortmain Bill and the Quakers' Bill, were both passed in the House of Commons by large majorities; and everybody that spoke for them gave the Bishops and the parsons very hard as well as very popular slaps. The young men all run riot on these topics, and there were none to take the part of the poor Church but a few old Tories and the Jacobites."

I beg pardon of my hon. Friend the Member for the University of Oxford; but I wonder whether he would have been among those riotous latitudinarian young men, or fought for the poor Church with the hopeless old Tories.

"Sir Robert, however, who hated extremes, and dreaded the consequences of all intemperance in Parliament whatever, though he voted for these Bills, endeavoured to quell and soften the zeal of those who voted with him, and rather followed in every step that was taken in them, than promoted them. When they were brought into the House of Lords, the Bishops had the mortification of having all the severe things said to their faces which they had before been sufficiently mortified in barely hearing had been said. The Duke of Argyll abused them the most, and particularly the Bishop of London. But, considering his Grace's trade and theirs, most people thought he went too far; and that, how hard soever he might be allowed to press them in facts, yet, in words, a soldier to a clergyman ought to have been more gentle. My Lord Chief Justice Hardwicke struck deeper, as he expressly said that there were many things in two books written by the Bishop of London, or by his order, that were contrary to law; and that in these books powers were asserted to be in the Church which did not belong to it. When the Quakers' Bill was debated, it was lost by the two law Lords, the Lord Chancellor Talbot and the Lord Chief Justice Hardwicke opposing it, One reason these law Lords had for this conduct was desiring to make their peace with the clergy, and regain some of that favour they had forfeited by their manner of espousing and pushing the Mortmain Bill. But, in truth, the reason that weighed most with them was the consideration of popularity with the men of their own profession; for, as great men as those two lawyers were, and as upright as they were esteemed, they had the spirit of preferring the power and profit of their own profession as much at heart as any parson in the kingdom, or any set of men in the world. It was this spirit had made them and all the lawyers in both Houses for the Mortmain Bill, as the fewer lands there were unalienable in the kingdom, the more titles to lands there would be open to be litigated. Is was this spirit, too, made them against the Quakers' Bill: for, as the purport of this Bill was to make a justice of the peace a sort of referee between the parson and the Quaker in the case of all tithes under 10*l.*, so this Bill, had it passed into a law, would, of course, have prevented nine lawsuits in ten that were now brought into Westminster Hall from ever coming there. This Lord Hardwicke, in one of his speeches, with great inadvertence, and, I dare swear, through repentance, plainly avowed was his chief motive for opposing this Bill; saying, 'that if the Bill should pass, it would not only exclude the jurisdiction of the Ecclesiastical Courts from operating in the case of these tithes, but would also virtually shut out the temporal courts, as it would make a justice of the peace a turnpike to the temporal courts, where almost all disputants would be stopped.' The very reason, begging my Lord Hardwicke's pardon, that should have induced every man in England, but a lawyer or a parson, to be for this Bill. But as long as money and power are reckoned of the good things of this world, it was no wonder the parsons should oppose a Bill that would abridge their present capacity of worrying a Quaker, nor that the lawyers should join the parsons, when they were to reap the profit from this equitable Christian chase. But, from what I have said, it is pretty plain (in my opinion at least) that the lawyers, in promoting the Mortmain Bill, or opposing the Quakers, had nothing strongly in view but the enriching the harvest of Westminster Hall, and that their popularity with the laity in the first, or with the clergy in the latter, was not their primary or chief consideration, but a casual incidental consequence of their

attachment to the interests of their own burdensome profession."

Not one word, Sir, in this faithful history do I find of the "great public mischief going on" that is alleged in the preamble of the Bill; but the two great causes of this enactment, which some to-day will defend as the palladium of our Church and religion are plainly avowed to be, hatred of the Church of England, and love of an enriching litigation. History has shown that Sir R. Walpole and Lord Hardwicke were right in their anticipations; the Church of England and the poor of England have suffered by their Machiavelian policy, and Westminster Hall has reaped a rich harvest; but I ask of the noble Lord, the present religious and humane Prime Minister of England, and I ask this present Legislature of England, to undo the great wrong which a spiteful and irreligious majority committed more than one hundred years ago, and to reassert the generous and faithful principles of our ancient law and practice. I appeal from George II. to Elizabeth; from Lord Hardwicke to Lord Verulam; from Sir Joseph Jekyl to Sir Edward Coke; and from the temporary exigencies of partisan bigotry to the eternal claims of Christian charity. And what are the main provisions of this law? Let me quote the words of the report of the Committee to which I have before referred:—

"The provisions of this law, which prevent lands, or anything savouring of the realty, from being conveyed to any body or bodies, politic or corporate, for any charitable purpose, unless by deed executed twelve months, and enrolled six months previous to the donor's death, have been construed by the judicature in the strictest sense their words would bear. Copyhold property, money out on mortgage, land left to be converted into money—money left to be converted into land; and, as it is asserted, railroad and canal shares even when declared by Act of Parliament to be personal property—are all held to be affected by that statute; and the courts refuse to marshal assets in favour of any public object, however charitable or beneficial."

We find, then, this law subversive of the ancient principles and practice of English law, uncharitable in its object, intricate, captious, and unfair in its provisions; passed, by the confession of its supporters, for the purpose of harassing the Church and enriching the lawyers; and not extended to Ireland or to Scotland. Had Lord Hervey's MSS. never seen the light, this restriction of the law to England would alone prove the *animus imponeatis*. Sir R. Walpole did not fear any increase of wealth or power in the Kirk of Scotland or Church of Ireland; any such increase would be in his favour, would add to his patronage, strengthen his hands. In England the Church was hostile, and, therefore, these fetters were imposed. But, Sir, turning from the three kingdoms and the history of this law, let me intreat the attention of the House to the fact, that in no other civilized country at this moment is the law nearly so uncharitable as in England. In our own colonies, in the United States, in Prussia, in Austria, in France, in Italy, we find either perfect freedom or moderate and charitable regulations; and yet with the whole civilized world, with the brightest and most glorious periods of our own history, with the example of Ireland, Scotland, and the colonies, inviting, shaming us, to repeal this odious statute, year after year do I call in vain upon the Commons of free and charitable England to strike off the chains which latitudinarian bigotry and fear forged for meek-eyed unsectarian charity. Have I need to prove, Sir, that this law has been fatally successful? Alas, Sir, I have but to summon every shape that human sin, sorrow, and suffering can take, to answer in the affirmative. The lame, the dumb, the halt, the blind, the ignorant, and the miserable, in one long array rise from their narrow graves to condemn this law. There is not a charity that alleviates the bodily sufferings or ministers to the spiritual wants of the people, that has not its tale to tell of resources diminished, usefulness impaired, by the sad efficacy of this law. Ask the indigent blind of busy Manchester why for long years no asylum was opened to them? They, did they know the truth, would answer, because of Sir Joseph Jekyl's Act. Ask the decayed and worn-out navigators of this mighty stream which flows by these stately halls why those houses of rest which charity had devoted to them were not long ago built and opened? They will tell you—they did tell you last year—because of this harsh and cruel law. Ask the sick and dying of Rutlandshire and Stamford what is now preventing that infirmary, which is their chartered palace, from increasing its accommodation to meet their wants? They will tell you because the wealth that was bequeathed for that good purpose is held to savour of the realty, and to be affected by that law. Step out from this hall, after you have rejected our Bill, and, quitting the pomp and glitter of our rising palace,

leaving the shade of that august abbey, plunge into the haunts of crime and ignorance and misery that surround you. Do you ask why such things exist—do you ask why hundreds whom you see ignorant, diseased, hopeless, shall pass out of this world, untaught, uncomforted, unprepared for the next? Because the charity which four years ago destined funds to meet in part this tide of sin and ignorance was defeated by this law, which I ask you to repeal. By this time, by this very day, had my first feeble attack upon this law been successful, a new Church, with its appointed priest, and schools, and soothing ministrations, would have been raised in Westminster; and who can tell how many churches, how many schools, how many almshouses, remain unbuilt, owing to this fatal agency? Let me ask hon. Gentlemen to listen to a few of the simple tales of that charity which you will not emancipate, to learn from them what this system really is. [The noble Lord then read extracts from letters which he had received from a person living at Reading, from a gentleman at Liverpool, and from a clergyman in the neighbourhood of Bristol, expressing regret at the loss of his measure of last year, and specifying the difficulties which existed in the way of real property being bequeathed for charitable purposes.] Well, Sir, a law which does such deeds as these, which was passed under such circumstances as I have described, should have indeed strong reasons to urge in its behalf. We allege against it that, in many—many instances, it prevents the poor from being fed, the aged from being cared for, the indigent from being relieved, the ignorant from being taught, the sinner from being saved: these are the crimes and misdemeanors I charge against this modern law. And what is its defence? That it guards the death-beds of wealthy men from undue solicitations, and that it prevents land from being locked up in perpetuity. I deny that it accomplishes, or attempts to accomplish, the former object. The unworthy favourite, the artful dependant, the wheedling mistress, the pimp, the pander, the prostitute, all are permitted free access to the death-bed, free enjoyment of its spoils. It is only the poor, the needy, the suffering, the miserable, who are banned by this hypocritical law from benefiting by bequests. But in order to secure death-beds from the importunity of charity, is it necessary to proscribe bequests made in health, vigour, and youth—is it necessary to violate the otherwise uniform tenor of the law, and declare that to be real property if bequeated to charity which is personal if bequeathed to a mistress. By the Bill, Sir, which I have introduced, the death-bed will be amply guarded from the attacks of this dreaded invader; those restrictions which the experience of many centuries have proved to be ample in property-loving Scotland, are exceeded by those contained in the Bill; any bequest made within three months of the testator's death will be void, and thus I assimilate the law of England to that of Ireland in the letter, and to that of Scotland in the spirit. This completely and entirely meets the death-bed argument. And now, Sir, for the other reason alleged in favour of the present law. For the sake of gaining a practical good—for the sake of removing the great blot that now, in the shape of this law of Geo. II., stains the Statute-book—for the sake and in the hope of consulting even what I deem the unfounded prejudices of my opponents, I do not ask the House to allow land to be locked up in perpetuity; but I actually concede that no land, save that actually necessary for the building purposes of charity, shall pass to the object of the bequest, but that it shall be sold, and the proceeds alone handed over to the charity. Therefore, Sir, this reason has ceased to exist. I can conceive no other objection being urged save one, which last was made use of. It is said that true charity would induce a man to give in his lifetime, and not at his death, and therefore it is wise to offer a premium, as it were, in favour of self-denying charity. But admitting the premise, I utterly deny the conclusion. It is not the donor or testator whom the law shall regard so much as donees. "Because a testator is selfish," it has well been asked by an able legal writer, "is this a reason why his donees are to be defrauded?" Because a man prefers for any of the thousand reasons or impulses which sway mankind, to retain his property during his lifetime, is that a reason why the poor, the blind, the wretched, the ignorant, are not to be consoled, comforted, taught at his death? And in what position do you by acting on this principle place the poor man? The rich man may divest himself of part of his wealth during his lifetime; but the poor man, like the old soldier whose letter I have read to day, who naturally feels most for his fellows, and who, having no relations to provide

for, wishes to leave his little property to benefit the poor, must render himself during life a pauper, or fail in his humane and natural desire. But does the law as it now stands afford this inducement to living charity? Far from it. Every clog, let, and hindrance which legal chicanery can invent is thrown in the way of gifts of real property. Well, I ask you then to redress this wrong, and to permit a man in the vigour of life to exersise this desirable virtue. But, Sir, I will not quit this subject without appealing to the House in the glorious language of Jeremy Taylor:—

"When faith fails, and chastity is useless, and temperance shall be no more, then charity shall bear you upon wings of cherubim to the eternal mountain of the Lord. I do not mean that this should only be a death-bed charity any more than a death-bed repentance; we must not first kindle our lights when we are to descend into our houses of darkness or bring a glaring torch suddenly to a dark room that will amaze the eye, and not delight it, or instruct the body; but if our tapers have in their constant course descended into their grave, crowned all the way with light, then let the death-bed charity be doubted, when the light burns brightest to deck our hearse."

This, Sir, is my case, feebly, imperfectly stated, I know; but so strong is my conviction of its justice, that, even had I to encounter greater odds than are arrayed against me this day—were the great legal authors of these times, the Jarmans and Palgraves, the Shelfords and Burges—were the rising generation of lawyers to be opposed instead of favouring the principles I am now contending for—I should still persevere. I appeal to the noble Lord, the First Minister, who has proved himself to be a true friend to this Church and nation—I appeal to him who boasts that he helped to set free the trade and commerce of this people, who glories in having fought a life-long battle for freedom, to add one more wreath to his civic crown, the glory of which shall be marred by no political or partisan detraction, and to strike these modern fetters from the gracious form of English charity. In the name, Sir, of the halt, the mained, the blind, the miserable, the poor, to whom the Gospel is not preached, I ask for the second reading of this Bill.

SIR G. GREY expressed his regret, that, having given his full consideration to the subject of the Bill of the noble Lord since the rejection of the measure of last year, and having examined attentively the alterations which had been introduced into the present Bill, he felt it to be his duty to offer his opposition to its further progress. He felt that every credit was due to the noble Lord for the motives by which he was influenced; and he shared in many of the noble Lord's sentiments. He did not believe any hon. Member would differ with the sentiments contained in the eloquent passage quoted by the noble Lord from Jeremy Taylor. But the noble Lord proposed in his Bill to repeal the Act 9th of Geo. II. Now, was this essential to the object which the noble Lord had in view? He (Sir G. Grey) was sure, if Jeremy Taylor could have been cognizant of the magnificent charities which had grown up in this country since his time, and of the large sums devoted at the death or during the lives of many charitable persons for that purpose, he would not have considered the repeal of the Act of Parliament in question essential for the full exercise of the most enlarged charity. The noble Lord had alluded to the motives which led to the passing of the Act 9th Geo. II.; but he had dealt with this subject throughout as if that Act were the Mortmain Act—the first Act by which bequests of land for charitable purposes had been restricted. Why, from the earliest period of the history of this country a series of Acts had been passed to prevent alienation in mortmain; but these Acts were not touched by the Bill of the noble Lord. He conceived that the noble Lord's Bill ought to have applied to those Acts, and not to the 9th of George II., only which was intended to prevent the evasion of those Acts. The preamble of that Act states—

"Whereas gifts or alienations of lands, tenements, or hereditaments in mortmain, are prohibited or restrained by Magna Charta and divers other wholesome laws, as prejudicial to, and against the common utility; nevertheless this public mischief has of late greatly increased by many large and improvident alienations or dispositions made by languishing or dying persons, or by other persons, to uses, called charitable uses, to take place after their deaths, to the disherison of their lawful heirs."

The Act of the 9th George II. then had a double object—to prevent the disposition of land in a manner whereby the same might become inalienable by those methods of evasion which had grown up; and to prevent undue influence from being exercised upon languishing persons, to the disparagement of lawful heirs. Now, did that Act actually prohibit the alienation of landed property for charitable purposes? By no means; it only prescribed certain

conditions which should attach to all alienations of property for such purposes. It provided that all such alienations should be by deed, and not by will; that the deeds should be executed twelve months before the death of the granter or donor; and that they should be irrevocable; and that they should be enrolled in the Court of Chancery within a certain time prior to the death of the donor. Was this a state of the law, he would ask, which required alteration? Did it inflict any very manifest grievance upon parties who wished to devote their property to charitable purposes? He must say, that he thought the complaints mentioned by the noble Lord as having been made by the watermen of London and other parties, with reference to the present law, did not arise from the operation of the law, but from the negligence of the donors in employing incompetent legal advisers to carry into effect their objects. It was perfectly competent for any person to give land, in his lifetime, for charitable purposes, or to sell land at any time prior to his death, and to devote the proceeds to those charities for which he might feel a strong and benevolent sympathy. The noble Lord had read a letter from an individual who possessed a small freehold property in the county of Berks. Now, he would suggest to the noble Lord that he should recommend the writer of that letter, if he was desirous of bestowing his property upon the Berkshire Hospital, to convert his land into money, to live upon the interest of that money, and at his death to bequeath it to the hospital; and he had no doubt the managers of the institution would be very much obliged to that gentleman for thus carrying into effect what had always been the policy of the law. The question before the House appeared to him to be this — whether it were desirable that they should remove all those safeguards against the alienation of land in mortmain, and against the solicitations which might be addressed upon a death-bed to persons possessed of large landed property, which were provided by the Act of 9th George II. The noble Lord proposed, by the 1st Clause of his Bill, entirely to repeal that Act, and then to enact certain provisions which he thought ought to be substituted for the present law. The noble Lord, however, did not carry out his own views to their full extent. In deference to the opinion of that House, the noble Lord had not gone in this Bill so far as he wished; for, instead of merely proposing the repeal of the 9th George II., his Bill contained certain provisions qualifying the effect of that repeal. He thought that it would be easy to show that the provisions contained in the Bill would be inoperative. The noble Lord proposed that it should be lawful for all persons, not being under any natural or civil disability, either by will or deed to give real property generally for any religious and charitable purpose. By this clause the question was still untouched as to what were religious and what superstitious uses; and if this Bill passed, the property, in almost every case, would be left for the benefit of the gentlemen of the law; and instead of going to the heirs or to the charity, would go to Westminster Hall, and no benefit whatever would be conferred on the charity. The noble Lord attached great importance to the 3rd Clause of this Bill, which provided that every will, deed, or other instrument or conveyance, whereby any lands or hereditaments were conveyed for religious or charitable uses, should be duly made and executed at least three calendar months before the death of the testator or granter; and that the lands or real estates so granted should, within two years after the alienation took effect, unless the Lord Chancellor or other officer should order otherwise, be sold for the best price that could be obtained; and that such price should be applied to the religious or charitable uses mentioned in the will or other instrument. He thought that this clause would be wholly inoperative. Suppose that landed property granted under the provisions of this Bill should be sold within the two years, what was to prevent the trustees or other persons selling the property from investing the proceeds of the sale in land the next day, and holding it for any length of time? He (Sir G. Grey) could not agree with the noble Lord in thinking it would be advisable to extend the kind of tenure under which lands were held by corporations, whether ecclesiastical or lay. There was, however, a proviso to Clause 3 which nearly undid all that the noble Lord proposed to effect by that clause. The proviso was to the effect, that the sale or disposal required by the clause should not be necessary with regard to any land or premises being the actual or intended site of any church, chapel, almshouse, or other house or building, or the appurtenances thereof, used or occupied for any religious or charitable purpose. The noble Lord appeared to have overlooked alto-

gether the modification of the law which had been already made with regard to churches and schools. The law as it now stood offered ample facilities for grants of land for the sites of churches or schools, subject to a limitation as to amount; and there was no case in which a person was restricted from disposing of property for such a purpose. This proviso was, however, framed in most indefinite terms with regard to the "other houses or buildings, or the appurtenances thereof," to which it referred. There was a limitation of acreage in the present law with respect to the land granted for sites of churches or schools; but in the noble Lord's Bill there was no restriction whatever. Did the noble Lord mean that this proviso should apply only to the land upon which such buildings stood, or that it should apply to so much land as might be useful or convenient, or as in the opinion of the managers of the several charities it might be necessary to hold for the benefit of such charities? The noble Lord proposed, by the next clause of this Bill, to render the grants by which property was conveyed under the Bill revocable at any time after they had been made. This proviso took away one of the essential precautions established by the Act of 9th George II. He reminded the House that this Bill did not come recommended by the report of the Committee, who, undoubtedy, thought some alteration of the law desirable, but objected to that sort of alteration which was proposed by the present Bill. It was true, that owing to the distinction between money in the funds and money in railways, canals, and mortgages—the first being considered personal, and the rest real property—many *bonâ fide* bequests had failed; but that distinction could not be altered by a repeal of the 9th George II., because it was not created by that Act, but resulted from the judgments of the courts of law, founded on the view they took of the different nature of such property. For these reasons he was compelled to oppose the Bill of the noble Lord; doing so with regret, in consequence of the pains which the noble Lord had bestowed on the subject, and in consequence of the full conviction which he entertained of the benevolent motives by which the noble Lord was actuated. There was now, however, no practical obstruction to the fullest development of charity in this country; and by a knowledge of law, or by the assistance of persons learned in the law, any one might be enabled to carry out his charitable intentions either in respect to the present or to the future. The right hon. Gentleman concluded by moving, as an Amendment, that the Bill be read a second time that day six months.

VISCOUNT CLIVE observed, that the object of the present Bill was simply to restore the law to the state in which it stood before the 9th George II., and not to alter the whole course of legislation since the Reformation up to that time. That Act of George II., which the supporters of the Bill sought to repeal, was passed for the purpose of thwarting the Church, and, as George II. said, those hypocritical scoundrels, the bishops. It was a little Hanoverian spite. The policy of Queen Elizabeth, and the great men who were her councillors—the policy of that reign, in which the Reformation was carried out to the fullest extent, was always opposed to the power of Rome. Yet, in that reign a law was passed permitting the bequeathing of lands to charitable purposes; and the same policy was continued in the reigns of James I.—who was not particularly favourable to Rome; of William III., who was designated as of "glorious, pious, and immortal memory;" and of Queen Anne. Thus, what the advocates of the Bill were endeavouring to re-establish had been sanctioned in the reigns of Queen Elizabeth, James I., William III., and Queen Anne; two of which Sovereigns owed their thrones to Protestantism, the other two being directly opposed to Rome during their reigns. The 9th of George II. was contrary to the spirit of the laws since the Reformation up to that period. That Act prevented certain bequests for charitable purposes, creating in respect to them a distinction between real and personal property. What was intended by the present Bill was to remove that distinction, and to give the possessor of land the same power over his property as another man had over his property, if it happened to be invested in the funds. The Act of George II., which was called a safeguard to Protestantism, did not extend to Scotland, Ireland, or the colonies; yet, if it were a safeguard to Protestantism, in what country would they expect to see it sooner adopted than in Scotland, which had always been actuated, since the Reformation, by a strong hostility to Popery? It had been said that this Act of George II. was a security to the Church of England; but he thought that, after what had fallen from the noble Lord as to the mo-

tives of passing that Act, the hon. Member for Oxford University would not venture to say that that Act had been carried for the security of the Church of England; and that it was a security for Protestantism generally, he denied. He would ask one plain matter of fact question. This Act had been in operation about a century; and when had the increase in the influence of the Roman Catholics been greatest in this country—during those hundred years, or during the previous period, from the Reformation? During the last hundred years, undoubtedly. How, then, did it happen that this safeguard to Protestantism, as it was called, had been concurrent with an increase in the influence of the Roman Catholics in this country? There was one point which the right hon. Baronet had adverted to, which the supporters of the present Bill would be ready to consider in Committee, with the view of removing all difficulty. All that they wished was, simply to give to the possessor of one kind of property just as much liberty to bequeath it as if his property were in the funds, but they did not insist that the charities should continue holders of the land bequeathed; and it might be settled that the land should be converted into another description of property. The right hon. Baronet said, that the gentleman at Reading who had been alluded to might sell his property in his lifetime and invest it in the funds, leaving it afterwards to the charity which he had fixed on. But selling the property was accompanied by the expense of title-deeds and stamps; and besides, why should a man be forced to sell his property, whether the house he lived in or railway shares, in which he had invested his money, because he wished to do good with it? Perhaps it might be contended that there were existing relaxations of the law, and that they were sufficient. But this was giving up the whole principle. Oxford and Cambridge were exempted. According to what just principle, then, was it that the great towns in the manufacturing districts were not also exempted? Why should not a school founded at Oldham be allowed to receive bequeathed property according to the provisions of the present Bill? If St. George's Hospital were able to hold lands, why should not the Infirmary at Manchester have the same power also? In dealing with private societies, Parliament took a very different course. A Bill was at present passing through the House, for instance, to enable the Scottish Union Assurance Company to invest money on real securities. Parliament had been obliged to be continually relaxing this law; the Church Building Acts were relaxations of it. Queen Anne's Bounty was obliged to be exempted by special Act of Parliament, or it could not have gone on increasing the small livings in England. It appeared, however, that there was given to that fund in 1841, 1842, and 1843, 21,000*l.* in money, 7,000*l.* in land, and 26,000*l.* worth of houses, not an atom of which was given by will; proving that where the restrictions in question were done away, and persons were enabled to do as they chose, the desire of seeing good accomplished in their own lifetime made them consent to the necessary sacrifice. The right hon. Baronet who was lately at the head of the Government made the greatest infringement on this principle of a safeguard for the Church, in his Church Endowment Bill; because there, for making better provision for the spiritual care of populous parishes, he gave power to any person to bequeath land by will to the Ecclesiastical Commissioners, the Statute of Mortmain notwithstanding. And what was the condition of England at this time, when this Bill was so jealously opposed? The Bishop of London had given a most appalling account, in his last charge, of the condition of the metropolis as to accommodation for public worship; there were probably 1,000,000 of souls unprovided with the means of grace; and this was the time when the bequest of the Dean of Westminster for building a church was invalidated, because the building a church involved the purchase of a plot of ground to put it upon! Was it better in the agricultural districts? Was not property accumulating in few hands there? The decrease since the Reformation in the proportion of the means of religious worship to the numbers of the population, was stated by a witness before the Parliamentary Committee already referred to, to be quite appalling. That we were no better off in respect to schools, was clear from the recent debates on education. Were our almshouses, asylums, and hospitals, too numerous? Were the industrious so very sure of a comfortable shelter in old age, undegraded by parish pay, and without being driven to the necessity of starving on a wretched out-door allowance of some 1*s.* 6*d.* a week, or of bone-grinding in the workhouse, under a system which we, the possessors of property, chose to call "re-

lief"—a system through which our fellow-subjects and fellow Christians had been driven to food that cannibals would loathe, degrading themselves to the level of wolves, and in a manner scarcely to be surpassed by the description given by Lord Byron of the dogs at Corinth, during the siege—

"From a horse's skull they had stripp'd the flesh,
As ye peel the fig when its fruit is fresh."

The noble Lord concluded by urging the passing of the Bill, not to encourage superstition, but to enable property further to discharge its duties to the poor.

SIR R. H. INGLIS regretted that a measure, which confessedly proposed to alter the policy of England in respect to one great subject of legislation—a policy adopted for one century at least—should have been brought forward on a day when so large a proportion of the House was necessarily engaged in serving on Committees: he trusted that at a future period Her Majesty's Ministers and the House would adopt some other plan, so that measures of such importance should not be discussed in the necessary absence of so many hon. Members. The noble Lord seemed to consider that the whole matter at stake was within the four corners of the 9th of George II., as if that were the only measure which had the slightest reference to the disposition of property to pious and charitable uses. In fact, he could hardly agree with the noble Lord in any one proposition from the commencement of his speech to its close, except when the noble Lord pronounced an *éloge* upon Sir Francis Palgrave, who, to the most laborious research in detail, united imagination, power of combination, and comprehension, which were the attributes of great genius. But Sir F. Palgrave was not impeccable nor infallible. Neither must it be supposed that this Bill was sustained by the *prestige* of the recommendation of the Committee. That Committee came to this conclusion by the casting vote of the chairman—three being on one side and three on the other—that the state of the law was most unsatisfactory; but as it required the casting vote of the chairman to support that proposition, it was plain that there was no *prestige* of a Committee in favour of this Bill. It must rest on its own merits; and on its own merits or rather demerits, he trusted it would be defeated. He spoke on the authority of a Member of the House, second to no lawyer in the House, and equal to any member of his profession, in stating that the House was by this Bill asked to sanction the proposition that every debt incurred by a donor should be defeated by the gift of such donor if the debt were incurred after the date of the gift. Was the House prepared to sanction that? The House had heard much of the secret history of the passing of the 9th George II. At the risk of making himself liable to the charge for an advertisement, he would inform the House of the book in which all these statements would be forthcoming; hon. Members might all buy it, and perhaps that was partly the object of the noble Lord; the book was a memoir of the Court of that day, by Lord Harvey, at present in the press, and to be very soon published by Mr. Murray. But the House had heard the Bill of George II. somewhat disloyally styled a petty effusion of Hanoverian spite—

VISCOUNT CLIVE interrupted. He had merely, in reference to the argument that the 9th George II. was a security to the Church of England, quoted an expression of George II., in which he called the Bishops a set of black, canting, hypocritical rascals; and he was sufficiently disloyal to say that that expression of His Majesty was an emission of Hanoverian spite.

SIR R. H. INGLIS was glad to have elicited that disclaimer of disaffection towards the house of Hanover, which he had attributed to the noble Lord under the erroneous impression that he had said that he himself regarded the statute as a measure adopted deliberately against the Church of England, and as such entitled to be described as an effusion of Hanoverian spite. But another noble Lord, at all events, described that statute—the statute commonly (though incorrectly) called the Mortmain Act—as being sectarian and revolutionary. Now, those expressions showed the *animus* of the noble Lord's measure; and let the House be warned against it. The noble Lord was as incorrect in his history as in the principles on which he proceeded; for the noble Lord stated, that up to the period of that Act a man might give or leave property of any kind by deed or will to any purpose. He must, subject to correction by the law advisers of the Crown and other hon. and learned Gentlemen, deliberately contradict that assertion, and say that there was not, up to the 9th George II., that liberty and license. The evidence of a witness before the Committee, Mr. Hodgson, had been quoted in regard to Queen Anne's Bounty. Now, it appeared that after being asked what amount of land

was at this moment held by the corporation of Queen Anne's Bounty, he was desired to state whether the larger part of it came by gift *inter vivos* or by will; and he stated, that almost all came by gift made in lifetime. He was asked whether he knew many instances in which land had been left to that corporation by will; and he said that he knew of but two, though he had managed the affairs for twenty-two years. He was asked whether those instances were to any great extent; and he stated that they were not. It was remarked by another witness, that people liked to be charitable at the expense of others. He (Sir R. H. Inglis) begged to state that such was the foundation of his great objection. He preferred that charity should be exercised when men were in the full vigour of their judgment. It had been remarked by Sir Francis Palgrave that it was easier for a man to give a check for 1,000*l.*, than, if he saw 1,000 sovereigns lying before him, to give them away bodily; and so of such bequests as the present measure contemplated. He was content to take the law as he found it; whether it would not admit of certain alterations and improvements he was not prepared to assert or deny. That which he was called upon to deny with his voice and his vote was, that the particular measure of his two noble Friends was necessary or expedient. In regard to churches, schools, and many objects of a literary character, the law gave ample scope for bequests; when a case was made out where the objects were different, the law might be relaxed by charter from the Crown, or by authority of Parliament. But he deprecated any measure which tended to encourage persons to leave, it might be, their whole property, so that it might come to be held in perpetual tenure by a person to whom ostensibly, perhaps, only a limited tenure was given.

Sir W. HEATHCOTE observed, that the hon. Gentleman who had just addressed the House, and the right hon. Baronet the Secretary of State for the Home Department, had taken so exaggerated a view of the enactments of the Bill that he wished to remind the House of their real nature. The right hon. Gentleman the Secretary of State for the Home Department apprehended that the consequences of the measure would be the disherison of heirs, and the locking up of property in perpetuity. But the object of this Bill was to extend over that property in regard to which there was the least probability of disinherison of heirs, the powers which could legally be exercised in regard to the property which was most liable to be bequeathed to the disinherison of heirs. The other objections might be obviated in Committee. The hon. Baronet thought that charitable gifts ought to be made during the life of the party, in order that the act might appear to be done from charitable motives. Was the House prepared to lay down this principle of legislation? He hoped the House would not be deterred by the exaggerated representations which had been made from advancing the Bill another stage, and seeing whether the objections to it were not such as might be entirely removed.

Mr. NEWDEGATE would only detain the House for a single moment. He considered that there was greater danger to be apprehended from this Bill, than from the law which it meant to repeal. The noble Lord whose name stood second on the back of the Bill told them that he wished to revert to the policy of Queen Elizabeth's time; but the noble Lord should recollect that he was in that acting directly contrary to the principles of the noble Lord the Member for Newark, who was endeavouring year after year to remove all traces of that policy altogether from the Statute-book. It was said, that charity covered a multitude of sins; and in the noble Lord's case it certainly would appear to do so. The three supporters of this Bill might be said to be faith, hope, and charity. The noble Lord the Member for Newark was the representative of faith; the noble Lord the Member for Shropshire represented charity; and the hon. Baronet who had just sat down might be said to represent hope, as he was the most reasonable of the three. He objected to the Bill not only because it proposed to repeal the law of mortmain, but also because it would provide a substitute for it in such wide terms, and to so unlimited an extent, as to leave the country exposed to much more serious dangers than those to which the noble Lord alluded, as arising from the law which he wished to repeal.

Lord J. MANNERS briefly replied. The objections of the right hon. Gentleman (the Secretary of State for the Home Department) were levelled entirely against the details and not the principle of the Bill; and, therefore, at that stage the right hon. Gentleman required no answer. He would state, however, that it was the intention of the promoters of the Bill, *bonâ*

fide, to compel the sale of lands left for charitable purposes; and he apprehended there could be no danger in that. The right hon. Gentleman admitted there were great and startling anomalies in the law as it now stood; and therefore he (Lord John Manners) called on the right hon. Gentleman to support the principle of a Bill, the sole object of which was to remove those anomalies, and by which he felt convinced great good would be done to the Church and the poor of this country. The hon. Baronet the Member for the University of Oxford (Sir R. H. Inglis) said that the passing of this Bill would prevent or interfere with the payment of the just debts of a testator; but that was not intended, nor did he (Lord J. Manners) think it would have that effect. [Sir R. INGLIS: The debts incurred subsequently to the making of the will.] Of course, he should be most happy to remedy that, as it was the intention of the clause that all just debts were to be discharged. A similar Bill had been introduced two years ago by the right hon. Baronet the Member for Tamworth, which applied only to Ireland; and that Bill passed without any of the objections now raised being urged against it. All that he asked the House to do was to adopt the provisions it then adopted, and which then received the sanction of both Houses of Parliament. He could not imagine why a thing should be right for Ireland, and the same thing should be wrong for England. Then the hon. Member for Oxford could understand the principle of Bills to except particular charities from the operation of the present law; and that system had better be adhered to. Were they, then, to go on tinkering at the existing law, and year after year having special Acts of Parliament for this corporation and the other charitable institution, instead of one general measure on a principle which would apply equally well to all? He thought the Secretary of State would rather have the proposed Bill than the proposal of the hon. Baronet. Then the hon. Baronet talked of giving in a man's lifetime being preferable to bequeathing it to any charitable purpose; but he surely did not mean to compare the parade of subscription lists and sums often given in vain ostentation, or from other equally unworthy motives, to the pure and high motives which dictated gifts when the donor was beyond the praise or observation of his fellow-creatures? The hon. Member for North Warwickshire (Mr. Newdegate) had threatened the Bill with his most determined opposition; but he appealed to the House whether the hon. Gentleman had said anything more stringent against it than that it had the misfortune to be fathered by him (Lord J. Manners). He had supported many measures which the hon. Gentleman had also supported; and it was not until they were in opposition to each other that the hon. Gentleman discovered that he was such a suspicious person, and that anything which he supported must be bad. Then the hon. Gentleman asked how it was that, if all they wished was to emancipate charity, the promoters of the Bill had inserted the word "religious?" The fact was, that in the English courts of law the meaning of the word charity was so extensive, that whether the word "religious" was inserted or not did not signify one whit—the clause would apply equally to religious charities as to others. The noble Lord concluded by appealing to the House whether a case had been made out against the Bill going to a Committee.

On the question that the word "now" stand part of the Question,

The House divided:—Ayes 20; Noes 166: Majority 146.

List of the AYES.

Acland, T. D.	Granby, Marq. of
Adare, Visct.	Hanmer, Sir J.
Arundel and Surrey, Earl of	Heathcote, Sir W.
Austen, Col.	Hervey, Lord A.
Balfour, J. M.	Hope, A.
Bellew, R. M.	Jermyn, Earl
Browne, R. D.	Newry, Visct.
Browne, hon. W.	Russell, J. D. W.
Christopher, R. A.	Smythe, hon. G.
Dickinson, F. H.	TELLERS.
Duncan, G.	Manners, Lord J.
	Clive, Visct.

List of the NOES.

Acland, Sir T. D.	Buck, L. W.
A'Court, Capt.	Buller, E.
Aldam, W.	Buller, Sir J. Y.
Archdall, Capt. M.	Busfeild, W.
Arkwright, G.	Carew, W. H. P.
Bagot, hon. W.	Cavendish, hon. G. H.
Bailey, J.	Clay, Sir W.
Baillie, W.	Colville, C. R.
Baine, W.	Coote, Sir C. H.
Baldwin, B.	Copeland, Ald.
Bateson, T.	Corry, rt. hon. H.
Bennet, P.	Craig, W. G.
Beresford, Maj.	Crawford, W. S.
Berkeley, hon. C.	Dalrymple, Capt.
Berkeley, hon. Capt.	Denison, J. E.
Blackburne, J. I.	Dennistoun, J.
Blackstone, W. S.	D'Eyncourt, rt. hn. C. T.
Boldero, H. G.	Dick, Q.
Bowring, Dr.	Divett, E.
Bramston, T. W.	Douglas, Sir H.
Brotherton, J.	Douglas, J. D. S.

Drummond, H. H.
Duncombe, hon. O.
Dundas, Sir D.
Egerton, W. T.
Escott, B.
Estcourt, T. G. B.
Evans, W.
Ferrand, W. B.
Finch, G.
Forbes, W.
Forester, Hon. G. C. W.
Forster, M.
French, F.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gisborne, T.
Gladstone, Capt.
Gore, hon. R.
Goring, C.
Goulburn, rt. hon. H.
Greene, T.
Grey, rt. hon. Sir G.
Grogan, E.
Grosvenor, Earl
Hall, Sir B.
Halsey, T. P.
Hamilton, W. J.
Hamilton, Lord C.
Hatton, Capt. V.
Heathcote, G. J.
Hill, Lord E.
Hinde, J. H.
Hodgson, R.
Hope, Sir J.
Hoskins, K.
Howard, hon. C. W. G.
Hudson, G.
Hughes, W. B.
Hussey, T.
Inglis, Sir R. H.
James, W.
Jervis, Sir J.
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Langston, J. H.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Legh, G. C.
Lennox, Lord G. H. G.
Lindsay, Col.
Loch, J.
Lockhart, W.
Lowther, hon. Col.
Lygon, hon. Gen.
Macaulay, rt. hn. T. B.
Mackenzie, W. F
Maitland, T.
Manners, Lord C. S.
Marshall, W.
Marton, G.
Maunsell, T. P.
Meynell, Capt.
Miles, P. W. S.
Miles, W.
Mitcalfe, H.
Monahan, J. H.
Morpeth, Visct.
Munday, E. M.
Newdegate, C. N.
Ogle, S. C. H.
Paget, Col.
Pechell, Capt.
Perfect, R.
Pigot, Sir R.
Powell, Col.
Prime, R.
Pusey, P.
Rashleigh, W.
Ricardo, J. L.
Rice, E. R.
Richards, R.
Romilly, J.
Round, J.
Russell, Lord C. J. F.
Rutherfurd, A.
Seymour, Lord
Sheppard T.
Sibthorp, Col.
Smith, A.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Spooner, R.
Spry, Sir S. T.
Stansfield, R. W. C.
Stanton, W. H.
Stuart, J.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Talbot, C. R. M.
Thesiger, Sir F.
Thornely, T.
Thornhill, G.
Tollemache, J.
Tower, C.
Trevor, hon. G. R.
Trotter, J.
Turner, E.
Turnor, C.
Vane, Lord H.
Verner, Sir W.
Vyse, H.
Vyvyan, Sir R. R.
Waddington, H. S.
Walker, R.
Wawn, J. T.
Williams, W.
Winnington, Sir T. E.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, Col. T.
Worcester, Marq. of

TELLERS.

Rich, H.
Tufnell, H.

Bill put off for six months.

AGRICULTURAL TENANT RIGHT BILL.

On the Order of the Day for the House to go into Committee on the Agricultural Tenant Right Bill being moved,

Mr. PUSEY said, that he did not intend to proceed any further with this Bill, being satisfied now that the advice he had received from the right hon. Baronet the Member for Tamworth was best calculated to insure its ultimate success. He found that it was impossible to legislate upon this subject in a manner likely to satisfy the landowners, whose feelings it was proper to consult in the matter, without further inquiry. At the same time, as something had been said about a petition which had been presented on the other side, he begged to be allowed to remind the House that he had presented three petitions in favour of the Bill, signed by farmers occupying 200,000 acres of land. He felt quite convinced that the principle of the Bill must become law within a very few years; he was satisfied that the justice of the cause would work its way; but he was most anxious that it should not be carried in any way calculated to do violence to the feelings of the landlords, who he was sure would soon come to find their interests to be bound up with the just rights of the tenants, quite as much as the tenants themselves. Being anxious, then, not to provoke exasperation, either in that House or out of it, or to disturb the harmony between landlords and tenants, and being satisfied that the measure would be carried within one or two years at most—he was quite certain that it would be inquired into during next Session of Parliament — he begged to be allowed to withdraw the Bill for the present. He assured the House that his only object in bringing it forward had been practical legislation, and not to make speeches, and as soon as he found that that was hopeless, he at once abandoned it.

Sir R. PEEL wished to be allowed to say a few words before the Bill was withdrawn. He thought that his hon. Friend (Mr. Pusey) had no reason to look back upon the course he had pursued with any other feelings than those of entire satisfaction. He did not believe that his hon. Friend had undertaken the arduous and difficult task of legislation—a task peculiarly difficult to a private Member of the House—from any other motives but those of wishing to encourage the application of capital to the land, and to insure a just remuneration to those tenants who might expend their own capital on its improvement. The hon. Member however, had met with unexpected difficulties. There were various arrangements now prevailing throughout the country which were founded on a

better basis than that of law, namely, the mutual confidence between landlords and tenants. He thought, therefore, that his hon. Friend had exercised a most wise discretion in not attempting to carry this Bill at present, and in not incurring the risk of disturbing that confidence, and provoking angry feelings between these two great classes. He (Sir R. Peel) thought that, after mature inquiry into the customs of different parts of the country, and after deliberate consideration as to how they could best give the force of law to those arrangements which were now based upon those friendly and reciprocal understandings, it was possible something might be done. If his hon. Friend, and those who, like him, took an interest in the welfare of agriculture, would apply their attention to the subject, it was probable they might come to some satisfactory understanding upon it. To the principle of promoting the application of capital to the land, in order to insure its better improvement, and of providing that just compensation should be given to tenants who had expended their capital in that way—to that principle there could be no objection whatever. But, as he had said before, he thought the course which had been taken by the hon. Member on this occasion, as well as on other occasions, such as in the case of the drainage of land, and in other matters relative to agricultural improvement, was such as to reflect great credit on the hon. Member; and, as the hon. Member had been obliged by circumstances which he had not foreseen to abandon the Bill, he thought it right on the part of some Member of the House who was opposed to him to express their entire confidence in the purity of his motives.

Order of the Day discharged. Bill withdrawn.

POOR RATES (IRELAND) BILL.

Bill considered in Committee. On the question that the Report be now received,

MR. STAFFORD O'BRIEN said, that having failed to catch the Speaker's eye previous to his leaving the chair, he had been unable to move that the House resolve itself into a Committee on this Bill that day six months. As it was, he thought the best plan would be to move that the Report be received that day six months. The principle of the Bill was one which he could not too strongly protest against, and which he trusted would not be sanctioned by the House.

SIR G. GREY said, that on the second reading of the Bill he had stated the grounds on which he assented to that stage of the measure, reserving to himself the right of opposing some of the clauses in Committee. The Bill having now been committed *pro formâ*, it would be an unusual course to reject it without allowing the hon. Member who introduced it to lay it before the House in its amended shape. Under these circumstances, he hoped that the hon. Member would not press his Amendment.

MR. YOUNG said, it was impossible to conceive that any alteration which could be made in the Bill would render it worthy of adoption by the House.

MR. SHARMAN CRAWFORD said, that in the present state of the law, tenants, being exposed to the oppression of landlords and middlemen, were unable to deduct from the rent the portion to which they were entitled on account of rates paid by them. To remedy that evil was one of the objects of the Bill. It had long been found a difficult matter to collect the portion of the rates which ought to be paid by the landlord, and therefore the Bill provided, that in cases of neglect to pay rates by landlords, the Poor Law Commissioners might apply to the superior courts in Dublin for the appointment of receivers of the rents of their estates.

SIR R. FERGUSON opposed the Bill, and said it would be impracticable to levy rates under it.

MR. LABOUCHERE said, he would oppose the Amendment; but wished it not to be supposed that he was favourable to the Bill. He disapproved of the Amendment because it was unusual to bring it forward at such a stage.

MR. GOULBURN said, that if the Amendment was unusual it was made under unusual circumstances. His hon. Friend had intended to object to the recommittal of the Bill; but that stage of the measure was passed with such rapidity that he was driven to take his objection to the report.

The House divided on the question that the word "now" stand part of the Question:—Ayes 55; Noes 81: Majority 26.

List of the AYES.

Anson, hon. Col.	Bouverie, hon. E. P.
Arkwright, G.	Bowes, J.
Armstrong, Sir A.	Brotherton, J.
Arundel and Surrey, Earl of	Busfeild, W.
Berkeley, hon. C.	Cowper, hon. W. F.
Berkeley, hon. Capt.	Craig, W. G.
	Dawson, hon. T. V.

Divett, E.
Duncan, G.
Dundas, A.
Dundas, Sir D.
Escott, B.
Fielden, J.
Fox, C. R.
Frewen, C. H.
Gore, hon. R.
Grey, rt. hon. Sir G.
Hastie, A.
Hay, Sir A. L.
Hill, Lord M.
Hoskins, K.
Howard, P. H.
Jervis, Sir J.
Labouchere, rt. hn. H.
Mackinnon, W. A.
M'Carthy, A.
Maitland, T.
Mitcalfe, H.
Mitchell, T. A.
Monahan, J. H.
Napier, Sir C.
Newry, Visct.
Parker, J.
Pattison, J.
Pendarves, E. W. W.
Russell, Lord E.
Rutherfurd, A.
Somerville, Sir W. M.
Strutt, rt. hon. E.
Thornely, T.
Trelawny, J. S.
Tufnell, H.
Wakley, T.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Williams, W.
Wood, Col. T.
Wyse, T.

TELLERS.
Crawford, W. S.
Bowring, Dr.

List of the NOES.

Archdale, Capt. M.
Baillie, W.
Baldwin, B.
Barrington, Visct.
Beckett, W.
Bennet, P.
Beresford, Maj.
Blackstone, W. S.
Boldero, H. G.
Borthwick, P.
Brisco, M.
Buckley, E.
Bunbury, W. M.
Carew, W. H. P.
Christopher, R. A.
Copeland, Ald.
Corry, rt. hon. H.
Cripps, W.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
Duncombe, hon. O.
Egerton, W. T.
Entwisle, W.
Ferguson, Sir R. A.
Ferrand, W. B.
Forbes, W.
Fuller, A. E.
Gisborne, T.
Gladstone, Capt.
Goring, C.
Goulburn, rt. hon. H.
Granby, Marq. of
Greene, T.
Gregory, W. H.
Grogan, E.
Halsey, T. P.
Hamilton, Lord C.
Hill, Lord E.
Hodgson, R.
Holmes, hon. W. A'C.
Hope, Sir J.
Hudson, G.
Hussey, T.
Ingestre, Visct.
Jocelyn, Visct.
Jolliffe, Sir W. G. H.
Law, hon. C. E.
Lefroy, A.
Lindsay, Col.
Mackenzie, T.
Mackenzie, W. F.
Maxwell, hon. J. P.
Miles, P. W. S.
Mundy, E. M.
Neeld, J.
Northland, Visct.
Prime, R.
Rashleigh, W.
Rendlesham, Lord
Repton, G. W. J.
Richards, R.
Round, C. G.
Round, J.
Sheppard, T.
Sibthorp, Col.
Spooner, R.
Stuart, H.
Stuart, J.
Thornhill, G.
Tollemache, J.
Trevor, hon. G. R.
Trotter, J.
Verner, Sir W.
Vyse, H.
Waddington, H. S.
Wall, C. B.
Wellesley, Lord C.
Winnington, Sir T. E.
Wodehouse, E.
Worcester, Marq. of

TELLERS.
O'Brien, A. S.
Young, J.

SEAMEN'S ENLISTMENT BILL.

SIR C. NAPIER moved the Second Reading of the Seamen's Enlistment Bill. The House was aware that in 1835 the right hon. Baronet the Member for Dorchester (Sir J. Graham) brought in and carried two measures, the Seamen's Enlistment Bill, and the Seamen's Registration Act. The former Bill enabled the Government to call out any number of seamen it thought proper, those who entered the Navy within six days after the proclamation being entitled to a double bounty—10*l.*; those seamen who were actually employed on board the fleet at the time were, under the same Act, to receive a single bounty. But by that Act, if the Government required only 3,000 or 5,000 seamen, it must call on the whole of the commercial marine to serve, and thus the mercantile navy was paralysed and the men prevented from prosecuting their different voyages. The object of his Bill was to amend that portion of the present Enlistment Act, and enable the Government to call out any number of men it might require, without disturbing the whole of the merchant service. When Lord Minto was at the head of the Admiralty, the inconvenience of the regulation was felt; the ships in the Tagus were undermanned, and, as it was not thought advisable to issue the proclamation, which would have entitled all those actually serving at the time to a fresh bounty, the Admiralty was driven to adopt the system followed in the merchant service; crimps were employed to get men, for whom they were paid 2*l.* a head by the Government. Was that a creditable mode of manning Her Majesty's Navy? These crimps were the most villanous characters in the whole city of London; and that was saying a good deal. The object of this Bill was to prevent this; and he hoped the House would support him, though he was sorry to say the Government would not lend its aid. At present, when men were called out by proclamation, the whole of the seamen then on service were entitled to a bounty, whether a war took place or not; if 2,000 additional men were wanted a bounty of 5*l.* must be given to the whole of the 40,000 already serving, requiring the expenditure of 200,000*l.* or 300,000*l.* before they could raise a man. He did not think this just, as, if no war occurred, the men were exposed to no peril; he proposed, therefore, to alter this, leaving to the Government the power of giving the bounty to the men if a war took place within a year. He proposed to enact a penalty on masters and owners of merchant

vessels keeping men in their service who were called on by proclamation to enter the Navy. He would not use the power of impressment in any way; it was a disgrace to the country, and ought to be abandoned for ever. But the men, being discharged by the merchant captains, would not be able to find employment on shore, and must enter the Navy; that might be called impressment if they pleased, but it was impressment in a much milder form. He did not conceive there was any great hardship in this; if they issued a proclamation according to the present system, they would have to press, or rather they would try to press, for he doubted, with the present notions seamen entertained, whether impressment would be possible. He doubted whether captains, with a crew sufficiently strong, would allow their ships to be boarded as by privateers or pirates, and their men taken away; would it be possible now to turn up all hands in a merchant ship to take the heads from casks to search for men hid away, or thrust cutlasses between bales of goods to stir them up if stowed away there? And if they could not do this at sea, how could they impress on shore? How would they do it in the city of London? He doubted whether the Lord Mayor would back a press-warrant, or, if he did, he would make himself extremely obnoxious; and if he did, who was to carry it into execution? Were they to assemble all the police in London to search all the crimping and boarding houses for seamen? He believed it would be impossible; he did not think any Minister would dare to attempt it. If they could not use the power of impressment in London, how could they do it in Newcastle, Sunderland, Glasgow, and all the outports? If a war took place, the troops at home would be lessened to strengthen foreign garrisons, the West Indies, Gibraltar, Malta; where would the troops come from to enforce the system? It would be impossible, and during peace was the time to begin a better one. They had now had peace for thirty-two years; yet, with the exception of the two Bills of the right hon. Baronet (Sir J. Graham), the measure proposed by the late Secretary at War (Mr. Sidney Herbert), and his own, no steps had been taken to remedy this great evil. If he had had any hope the Government would take up the subject themselves, he would not have brought it forward; it had engaged his attention ever since 1816, and he had laboured at it, through the public press and in various ways; but till he entered Parliament he had no opportunity of doing anything himself. The right hon. Member for Wiltshire (Mr. Sydney Herbert) intended to follow up his Registration Bill with this very measure; but he left the Admiralty and was made Secretary at War, and was prevented by various other causes from bringing it forward. On different pleas the subject had been delayed and got rid of year after year. But lately he had observed a better feeling growing up in the House with respect to the Navy; more was thought necessary than the construction of ships; and if he did not succeed in carrying the Bill, he hoped the House would oblige the Government to bring in some good measure of its own. It appeared to him that the whole thought of the Admiralty for the last thirty years had been bent on building ships; all the public money had been spent in building either in iron or wood, or with screw-propellers or paddle-wheels. They had been building morning, noon, and night, one year after another; and when a new Board of Admiralty came in, it directly pulled to pieces what had been built by its predecessor. One heightened a ship, another cut it down; one lengthened the stern, another the bows; and the public paid for all. But they did not consider what ships really were. They were neither more nor less than barracks, or floating castles, useless without men to put on board them. The late Admiralty, though in 1841 it condemned the system of sending ships to sea short-handed, itself returned to the practice; the present Board continued it, and now their ships at Lisbon and in the Mediterranean had diminished crews as formerly. A line-of-battle ship, instead of 1,000 men, had 750 or 800. The French system, he believed, remained unaltered; their ships were fully manned, and at that moment he believed there was in the harbour of Athens an English line-of-battle-ship with 750 men, or something like it, with a French ship having a crew of 900. The system now practised was neither just to the officers nor just to the men; the officers and men of the British Navy were capable of great achievements; but to be enabled to effect anything great, the complement of the ships should be maintained in time of peace as fully as in time of war. It was difficult at any time to induce men to enter the service, and that difficulty was made the more insur-

mountable by retaining the ships ill-manned, for the man who went on board went with the knowledge that an undue share of labour and work would be allotted to him. He had now stated the objects of the Bill; and as it was not probable that he should have the honour of addressing the House again on that or any other subject for a considerable time, he did implore the Government to trifle no longer with the seamen of the British Navy, to adopt a better and more righteous system of obtaining the required number of men, and to abandon altogether the notion of impressment. As sure as they lived, if a war took place, and they resorted again to the practice of impressing, they would lose all the men now in the American Navy, and who, were a better system pursued, would willingly serve their own country.

Mr. WARD greatly regretted, as it had been stated by his hon. and gallant Friend that this was the last measure he was likely to bring forward for a considerable time, that it was his (Mr. Ward's) duty to oppose this Bill. It was, however, under present circumstances, utterly impossible that the Board of Admiralty could give their sanction to such an enactment. He begged that there might be no mistake made: with reference to manning the Navy, the importance of taking advantage of a time of peace to ensure efficacy in a time of war, and with respect to all those general considerations which the hon. and gallant Member had properly urged upon the House, Government was as desirous as the gallant Officer could be, and it was to be hoped much better prepared than he supposed, to make adequate provision. [Sir C. Napier: The old story over again.] It was no doubt the old story over again; but it was a sufficient answer to such a complaint that nothing could be more dangerous than to tamper with such questions as these before the time was ripe for the settlement. He had already pointed out to the hon. and gallant Member that even were his course to be unopposed by the Government, he would find himself surrounded by difficulties in any attempt at this moment to legislate on the subject of the Navy. If the hon. and gallant Member had not been overwhelmed with protests against this Bill, it was solely because a confidence prevailed that Government would never consent to support it at the present juncture. The hon. and gallant Member proposed in lieu of the general right of impressment in emergencies, inherent in the Crown, to substitute a system which would connect the merchant seamen with the Queen's service, but of which the effect would be to disturb to a degree greater than could by possibility happen under existing arrangements the whole mercantile marine. There was no proposition to assert the right of the Crown to call out the naval population of the country, of all classes, in the event of war; and, after all, the machinery suggested by the fourth clause was merely to starve the men from one service into the other. The hon. and gallant Member had particularly dwelt on the importance of altering the system of bounties; that was a very grave and very extensive question, and the hon. and gallant Member might rely upon the attention of the Admiralty being anxiously directed to the point. Just at this moment, however, a Commission had been appointed to inquire into the Seamen's Fund; and if it was found expedient to enter on this subject next year it would also be advisable to take into consideration the various questions referred to by his hon. and gallant Friend, and all of which were intimately connected with the condition of the seaman. He hoped that, before any long time had elapsed, they would see a proper organization of a proper naval reserve. He believed this might be effected with a far less destructive disturbance of commercial interests than would be occasioned by the Bill now proposed to be read a second time; and he was sure he only expressed the unanimous decision of the present Board in stating that, both on public and on private grounds, they were bound to oppose such a Bill. He was excessively sorry the good intentions of his hon. and gallant Friend could not be met in any other way; but he hoped the rejection of the measure would not induce his gallant Friend to conclude that there was not on the part of the Board of Admiralty the most earnest desire to see carried out the objects which had been so frequently recommended to their consideration. He moved that the Bill be read a second time that day six months.

Mr. FORSTER agreed with the hon. Secretary to the Admiralty, that the time was inopportune for introducing the Bill.

Mr. CORRY expressed a hope that his hon. and gallant Friend would see the expediency of withdrawing the Bill for the present.

Sir C. NAPIER replied: He did not think the hon. Gentleman the Secretary

to the Admiralty, had given any just reason why the Bill now before the House should not meet with the support of the Government. The hon. Gentleman said, an inquiry was going on, and that the Merchant Seamen's Fund was in process of being regulated. Why the Merchant Seamen's Fund had been in course of regulation for the last three years. The subject had been brought forward year after year, and yet up to this day there was not the slightest prospect of anything being done beyond instituting inquiries.

Amendment agreed to. Bill put off for six months.

SEDUCTION AND PROSTITUTION BILL.

Order of the Day for the Second Reading of the Bill for the better Prevention of Seduction and Prostitution read. A Motion made that the Bill be now read a second time.

Sir G. GREY was quite prepared to admit that the law was not in a satisfactory state with regard to those offences enumerated in the Bill which had been introduced by the hon. Gentleman; and he wished now to state how far he would agree to any measure on this subject. The first clause in the Bill professed to deal with the offence known as procuration. He admitted with the hon. Member that this was an offence not now sufficiently within the cognizance of the law, inasmuch as it could be proceeded against only under the Act applicable generally to conspiracies; and he was perfectly prepared, so far as he was concerned, to support a measure subjecting persons guilty of that offence to penalties proportioned to the crime. He doubted, however, if the clause, as now framed, would effectually carry out the object in view, and the penalties now proposed were objectionable. He objected to the summary jurisdiction which the hon. Member desired to give in cases of this kind. One of the clauses applied to parties found guilty of keeping brothels; and it was proposed that on a conviction the lease of the house inhabited by the offending party immediately became void. This would be open to objection: a party desirous of taking advantage of his landlord might engage a friend to prosecute him for keeping a brothel, and he might thus avoid all the obligations of the lease. The hon. Member would of course not wish that such should be the effect of his legislation, and would see the necessity of avoiding the risk he ran, in an attempt of this nature, of doing a great deal of mischief while he sought only to do good. The third, fourth, and sixth clauses were likewise in the last degree objectionable. They were drawn up certainly in very general terms; they were, however, of a very sweeping character, and there was indeed no knowing who might not become subject to a penalty under the operation of such a Bill. A great number of offences were defined, and persons guilty of these offences would become subject to all the penalties which could be imposed upon the keepers of brothels. He was of opinion that under the terms of the Bill, as it now stood, it went very much beyond its professed object. The landlord of a tavern, for instance, according to this Bill, if he permitted two persons not known to be married to sleep in his house, would become subject to heavy penalties; and the servants engaged in such a house, if cognizant of the landlord's connivance in such an offence, would be liable to precisely the same punishment. These were the difficulties which the hon. Member would have to encounter in his praiseworthy anxiety to effect an undoubted good; and this very clearly showed the impossibility of attempting to legislate to the full extent which might seem desirable with a view to enforcing public morality. It was, in fact, altogether out of the question to expect that an Act of Parliament could meet cases of this kind. Whoever had framed this Bill had done so with an ingenuity which would include every possible offence properly the subject of such a measure; but the objections were insurmountable. He therefore wished that the hon. Gentleman would limit the Bill to meeting the offence of procuring persons for the purposes of prostitution—a very serious evil, and one for which it was incumbent on them to provide a remedy; and he would suggest that the proposition to give summary jurisdiction be withdrawn, and that the offence be left to competent and unobjectionable tribunals. To a Bill calculated to confer that benefit on society which would be derived from the suppression of such an evil, he would not offer any opposition; but he had carefully looked over the clauses of the present Bill, and there was not one not open to the most serious objection. The best course, therefore, if the House would grant leave, would be for the hon. Gentleman to bring in a Bill, should he think it desirable, limited to the object to which he had alluded.

Mr. SPOONER was aware, after what had fallen from the right hon. Gentleman, that it would be useless and waste of time only to do otherwise than adopt that course which had been suggested. He perfectly concurred in the propriety of that course, and, with the permission of the House, he would now withdraw the Bill.

Bill withdrawn.

HEALTH OF TOWNS BILL.

Viscount MORPETH moved the Order of the Day that the Health of Towns Bill be committed. He wished to go into Committee *pro formâ*, as some alterations were intended to be made in the Bill.

Colonel SIBTHORP wished to put a question to the noble Lord respecting this Bill. If he had been correctly informed, the noble Lord was now about to withdraw every part of the Bill which affected the city of London, and he wanted to know why the city of London was, all at once, to be excluded? It was true the noble Lord at the head of the Government was a Member for the City; but what was fair for one was fair for another, and he should like to know why the metropolis, swarming with people of all nations, was to be excluded from the Bill, and the city he represented—Lincoln—one of the cleanest and best-conducted towns in the United Kingdom—was to be included? He did not attribute motives to any one, but they all knew that large constituencies had great persuasive powers. He begged to ask the noble Lord, whether it was his intention, and, if so, the reason, to exclude the metropolis from the Bill—one of those towns which required the earliest and the closest consideration?

Mr. SPOONER said, he believed it was a part of the provisions of this Bill to make it compulsory upon municipal towns to adopt the regulations of the Bill, and suggested whether, instead of making it compulsory, it might not be optional?

Dr. BOWRING hoped the noble Lord, who had already surrendered so much, would not give way much more, or the Bill would become of very little value. The Bill met with approbation and support out of doors; and if he adhered to it in its integrity, he would find more than encouragement, even enthusiasm, in its favour.

Viscount SANDON could confirm the observation of the hon. Member, and stated that the petition he had presented in favour of the Bill from Liverpool, had been signed by several hundreds of the working classes within two or three hours; and he could bear testimony to their strong and intense feeling towards the measure. It was gratifying to see that they could appreciate the subject, and that they did not leave it to the wealthy classes. He hoped that no undue obstacle would be thrown in the way of the Bill, and that the noble Lord would show the necessary vigour in carrying it into effect.

Colonel T. WOOD said, the hon. and gallant Member for Lincoln had forgotten to notice that there was a new Board of Commissioners created under this Bill. He was not prepared to admit this principle, and he did not think that any Board would be able to manage the conflicting interests which would be put into action, and that the Bill would be much better carried out under the superintendence of the Commissioners of Woods and Forests.

Viscount MORPETH had consented to omit the metropolis from the Bill, not because its provisions were less necessary there than in Lincoln, but because owing to its immense size, and the large mass of previous legislation he had to deal with, he found it impracticable to include it; and he was afraid, if he had grasped at everything, he might have caught nothing. In reply to the hon. Member for Birmingham, he said he was not prepared to make the provisions of the Bill applicable to corporate towns optional, though there was very little that was really compulsory in the Bill. With respect to what had fallen from the hon. Member for Bolton, he trusted that neither he (Viscount Morpeth) nor the House would show any disposition to make undue concessions.

Order of the day read on the question that the Speaker do now leave the chair.

Colonel SIBTHORP moved that the House be counted.

Thirty-four Members only being present, the House stood adjourned ten minutes to Six o'clock.

HOUSE OF COMMONS,

Thursday, May 13, 1847.

Minutes.] Public Bills.—2° Loan Discount.

Reported.—Health of Towns; Towns Improvement Clauses.

3° and passed:—Poor Removal (England and Scotland); Service of Heirs (Scotland).

Petitions Presented. By Mr. S. Wortley, from a great many places, for Alteration of the Law of Marriage.—By Lord H. Vane, from Guardians of the Stockton Union, for Alteration of the Marriages Act.—By Mr. Chute, from Shropham, against the Roman Catholic Relief Bill.—By Mr. Villiers, from the Hundred of Seisdon, in the

County of Stafford, respecting Remuneration to Tax Assessors and Collectors.—By Mr. Dickinson and other hon. Members, from several places, in favour of the Agricultural Tenant-Right Bill.—By several hon. Members, from a great many places, for Regulating the Qualification of Chemists and Druggists.—By Sir W. Molesworth, from Catholic Clegymen of the County of Northumberland, for Alteration of the proposed Plan of Education.—By Mr. Deedes and other hon. Members, from several places, for and against the Health of Towns Bill.—By several hon. Members, from a great number of places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Mr. T. Duncombe, from Sheffield, for Inquiry into the conduct of Mr. Wilson Overend.—By Sir J. Duckworth, from Topsham, for Repeal or Alteration of the Poor Removal Act.—By Mr. Bouverie, from Port Glasgow, in favour of the Ports, Harbours, &c. Bill (1846).—By Mr. Buckley, from several Railway Companies, against the Railways Bill.—By Mr. Ord, from the Board of Directors of the Whittle Dean Water Company, against the Towns Improvement Clauses Bill.—By Dr. Bowring, from several places, for referring National Disputes to Arbitration.

POLICE CLAUSES BILL.

MR. BOUVERIE wished to know whether the Police Clauses Bill was a Government measure, as it contained many very harsh and objectionable clauses?

SIR G. GREY said, that he was glad that his hon. Friend had put the question, as it afforded him the opportunity of explaining to the House the position in which the Bill stood. That Bill was not, in the ordinary understanding of the word, a Government measure. It had not been prepared at the instance, nor was it introduced under the responsibility, of the Government; but it was one of a series of measures recommended by an Officer of that and the other House of Parliament, and by the Gentleman who was employed to prepare the drafts of Government measures; and it had been drawn up in pursuance of an order of the House, founded upon the report of the Committee on Private Business, over which the hon. Member for Montrose had presided last Session. It was one of the Consolidation Bills—the object of which was to include the usual clauses relating to police, inserted in local Bills in one general measure. He had, during the vacation, undertaken to direct that the draft of the Bill should be prepared; and the same course had been taken with it as with all the other Bills of a similar character—it had been referred to a Select Committee up stairs, in which each clause would be separately and fully considered. He had thought that some of the clauses inserted in the present Bill had been new clauses; but he had found out that that was not the case. If, however, they were as objectionable as they had been represented to be, they would receive every attention at the hands of the Committee, and be no doubt properly dealt with.

CAPTAIN WARNER.

MR. AGLIONBY asked Sir Howard Douglas whether it was his intention to call the attention of the House to Captain Warner's invention? He asked this question as the gallant Officer had already moved for certain returns of the experiments.

SIR H. DOUGLAS: In reply to the question put to me by the hon. Member for Cockermouth, I beg to say that the report and journal of the proceedings of the Commission appointed to examine Captain Warner's "long range," having proved by actual experiment, in the presence of officers of distinguished ability, at the time and place selected by him, and at the public expense, that Mr. Warner's alleged invention of an agent of stupendous power of range, over which he asserts he had acquired, by much study and expense, complete control, that he could guide with certainty——

MR. AGLIONBY rose to order. He simply asked a question: if the gallant Officer made an assertion he must be allowed to make a contrary assertion.

SIR R. PEEL thought that the gallant Officer might proceed, as a simple answer might imply a favourable opinion. The question was an unusual one.

SIR H. DOUGLAS: This agent having turned out to be, as I always knew it would, one of the greatest impositions ever attempted to be palmed upon public credulity and gullibility, it is certainly not my intention so to offend the good sense of the House, and waste its time, as to call its attention (in any other form than to refer to these papers) to an absurdity which has already occupied too much of the valuable time of the House, and which I feel confident the House of Commons, the Government and the country, and all men of sound sense, science, and judgment, will now deem totally unworthy of any further consideration.

DUTY ON FOREIGN WINES.

DR. BOWRING rose to bring forward the Motion of which he had given notice—

"That this House will immediately resolve itself into a Committee to consider of a reduction of the Duties on foreign Wines."

This country had already made great alterations in its import duties, and he consid-

ered that they should extend their liberal policy still further. The best method of carrying out the principles of free trade was by admitting the products of foreign countries on such terms as they should like the products of this country to be admitted abroad. By reforming our own tariffs, by encouraging imports, we should best secure the introduction of our articles abroad. We could only influence the legislation of other countries by associating their interests with our own, and giving the friends of extended trade with England additional means of action. It was a remarkable fact, that several hundred years ago the importation of wine into this country was greater than it was now. In the fourteenth century no less than 200 vessels, loaded with wine, brought cargoes from the Bordeaux district into England. If by a reduction of duty they increased the demand for foreign wines, the supply could be so increased that the price of the article would not be raised. This had been the case with regard to tea from China; and it would be so with wine, for wine was the fruit of every temperate clime; and in Europe, great as was its production, that production might be increased to an almost unlimited extent, and placed within the reach of the working classes. He believed that no limit could be placed to its importation. All wines from France paid 5*s.* 6*d.* a gallon, or about 1*s.* 1*d.* a bottle of duty. A change had taken place in the year 1831, when the duty on wine was lowered from 7*s.* 3*d.* to 5*s.* 6*d.*, while Spanish and Portuguese wines were raised from 4*s.* 10*d.* to 5*s.* 6*d.* per gallon. The consumption, singular to say, was less now than it had been twenty years ago. In 1803 and 1804, the revenue received was 2,500,000*l.* for wine alone, the consumption being about 6,000,000 or 7,000,000 of gallons. In 1845 the consumption was 5,786,000 gallons, and the duty received was 1,900,000*l.* In France, where wine was so cheap as to be within the reach of all classes, the wines which were above the common qualities paid a duty of 3,000,000*l.* sterling. Wines afforded a curious history. They found that of the wines consumed in this country two centuries ago, two-fifths of the whole was the produce of France. From 1678 to 1744 it was one-twelfth of the whole consumption; from 1744 to 1785, the duties levied on French wines exceeded cent per cent the duty levied on the wines of other countries, and the importation did not approach within one-twentieth of the whole demand. From 1786 to 1806 duties levied on French wines had not been one-seventeenth of the whole which had been collected, the duty having been about one third more than that levied on the wines of Spain and Portugal. Now he could not but feel great interest in our connexion with France, and he was happy to be instrumental in any legislation which promoted, either politically or commercially, our connexion with that country, and which might promote the consumption of French wines. Much had been done by the southern provinces of France in favour of the more enlightened commercial policy which this country was now following. He might instance the exertions of the Chamber of Commerce of Bordeaux, who had in their memorials repeatedly pressed upon the Government the necessity of taking some measures to promote free trade. More than six hundred commercial establishments had signed these representations; and be it remembered, that Bordeaux and its neighbourhood produced annually 250,000 tons of wine, of which 1-50th was sent to Great Britain. It appeared, from the statement of the French Excise, by whom he had formerly been favoured with information, that upwards of 800,000,000 gallons of wine were annually produced in France, of which not more than one-thirtieth part was exported to foreign countries. Of the gross quantity thus produced, the greater quantity was sold in France, at about sevenpence per gallon, or rather more than three halfpence per quart; Count Chaptal calculated that 4,000,000 of acres were appropriated in France to the cultivation of the vine—that the produce was 900,000,000 of gallons, and the value 28,000,000*l.* sterling—and he did therefore think that these were strong reasons for an alteration of the duties on the introduction of French wines. A considerable quantity of wine was produced in the Austrian dominions, as they found from the statements of Dr. Springer, who said that 3,200,000,000 gallons of wine were produced in those regions. In Hungary there were 2,000,000,000 gallons of wine produced; and in Transylvania 700,000,000 gallons per annum. No doubt, if they took the wines of these countries, the inhabitants would take their manufactures in return. Important statistics connected with the trade had been laid before the House. Wine might be obtained at 3*l.* per hogshead, which might be retailed at an equally low price. There

was no country in Southern Europe which had not the means of affording this country a great supply of wine. He had often advocated a closer commercial relationship with the countries which bordered the Danube. Those countries were now giving us corn at the time of our most disastrous need; and but for hostile tariffs they would give us drink also. Though they could not taste the ancient classical Scian and Falernian wines, still the land where these were produced existed, under the same sun, with the same soil, and the same capabilities, all of which might again be made availing. Why should not the vineyards of Mareotis, Meroe, and Tœnia, be again wakened to fertility? There were excellent wines to be obtained in Tenedos, in Cyprus, and in the islands of the Archipelago, provided the absurd regulations of hostile tariffs were broken through; and the re-introduction of the Saprian, Lesbian, Chian, and Thasian wines, might again revive the old associations of classical memory. Italy had her Montepulciano and Chianti to offer us; and he believed her ancient fame might be revived, and the Falernian, Sabine, and Cœcuban wines again appear on our tables. But in Italy the vine cultivation had been sadly neglected. He did not know any better mode by which friendly relations between those countries could be strengthened than by receiving the commodities which those countries could produce. In 1801 the consumption of foreign wines in this country had been half a gallon per head; in the present year it was not more than one-fourth of that amount. In France the consumption was stated to be eighteen gallons per head on the average of the whole population, or twenty-six gallons per head in the towns, and sixteen in the rural districts —others estimated the consumption at twenty-five per head. In a state of vassalage, the slaves of Rome were reported to have consumed sixty-eight gallons per annum; and the people are said by Cato to have consumed eight amphoræ, or about fifty-three gallons per head. If England consumed only one-fifth of the quantity of wine used in France, namely, five gallons per head, the sum which would be raised for revenue at 1*s.* per gallon of duty would amount to 7,000,000*l.*, a sum which the Chancellor of the Exchequer would surely be glad to receive. The wine duty in France produced 3,000,000*l.* sterling, though it was estimated that nearly one-half escaped taxation. And, looking to other countries, the diminished consumption of this country was made the more striking. In the Netherlands the consumption was twenty-four times greater per head than in England. In the Hanseatic towns it was five times greater. In Denmark, with a population of two millions, there was as much wine imported as into Great Britain, with twenty-eight millions. The facts to which he had drawn attention with regard to wine, that the increased consumption caused by a reduced duty, would enlarge the revenue to the Exchequer, was borne out by a reference to the consumption of other articles in this country. With regard to tea, it was a most remarkable thing that in 1821, when the price was 5*s.* 8*d.* per lb., the consumption per head was only 1 lb.; and from 1831 to 1841, when the prices fell to 4*s.* 2*d.* and 4*s.* 4*d.* per pound, the consumption was increased to 1 lb. 4 oz.; and in 1846, when, by a combination of circumstances, the price fell to 3*s.* 5*d.* per lb., the consumption increased to 1 lb. 10 oz. per head. Now, what was the effect of the reduction of duties on the revenue? In 1821, with a duty of 2*s.* 10*d.*, the revenue on this article amounted to 3,738,000*l.*; in 1841, when the duty was reduced to 2*s.* 2½*d.* per lb., the revenue amounted to 3,978,000*l.*; and in 1846 to 5,100,000*l.* The results of this reduction of the duty were as strikingly apparent on the comforts of the people. In 1811, when the price was 5*s.* 11*d.* per lb., the total consumption was 23,000,000 lbs.; in 1821, when the price was reduced to 5*s.* 2*d.*, it was 27,600,000 lbs.; and when it was reduced to 4*s.* 3*d.*, the consumption was 31,000,000 lbs. In 1841, when the price was 4*s.* 1*d.*, the consumption was 36,800,000 lbs.; in 1843, at 3*s.* 4*d.*, it was 39,900,000 lbs.; and the latest test which they had, viz., the year 1846, the price being lowered to 2*s.* 11*d.* per lb., the consumption was 47,500,000 lbs. He could not but think that matters like those must make an impression on the House and the country. What, again, had been the case with brandy, on which the experiment of a large diminution of duty had been made, namely, from 22*s.* 10*d.* to 15*s.* per gallon? In 1841, when the high duty was in operation, the consumption was 1,164,000 gallons, and the revenue receipt was 1,329,000*l.*; in 1844, the consumption was 1,023,000 gallons, and the revenue 1,167,000*l.*; in 1845, it was 1,058,000 gallons, and the revenue 1,200,000*l.* It did not require a certain

number of years for the revenue to rise to the same condition it was in before the duty was reduced. One year was sufficient to reinstate the revenue; for in 1846 the quantity of brandy imported was 1,500,000 gallons, and the revenue now was as much as it had been when the duty was 22*s.* 10*d.*, namely, 1,166,000*l.* This gave them great encouragement to pursue the same course. The article of coffee bore out the same result. In the year 1841 the consumption was 28,300,000 lbs., and in 1846 it was 36,700,000 lbs., and the reduction of duty had been at one-third. The duties were in 1841 6*d.* and 9*d.* a pound, but now they were 4*d.* and 6*d.* What, then, had been the effect of that reduction? In 1841 the revenue was 887,000*l.*; and now, with so great a reduction, it was 757,000*l.*, a much greater amount than was returned in the year 1843, when the duties were 4*d.* and 8*d.* To take the result still later, as the months of the present year showed the amount. For the first three months of the year 1846, the sum was 186,000*l.*; and for the corresponding months of the year 1847, 213,000*l.* So in the matter of brandy. For the first three months of this year the quantity entered was 362,000 gallons; in 1846 it was only 214,000 gallons; but in 1847 the consumption during these three months had been 271,000 gallons. Wine ought to be an article of universal consumption in this country; but the duty imposed on the article was so excessive that it was practically excluded from consumption in England. He wanted it to be accessible to the poor man. He wanted to enable him to purchase a bottle of wine at the same price he would give for a bottle of beer. Now, the Chamber of Bordeaux had stated that wine of good quality could be shipped at 3*l.* per hogshead, or 2½*d.* per bottle; at 5*l.*, or 4*d.* per bottle, a better wine; a still better at 8*l.*, or 6½*d.* per bottle; and so on through various qualities, up to 4*s.* per bottle. At 2*s.* 6*d.* duty per gallon, these wines could be sold from 9*d.* to 5*s.* per bottle; and at 1*s.* duty, from 4½*d.* to 4*s.* 2*d.* per bottle. It appeared to him that he had made out his case. He thought he had proved to demonstration that if Government would only make the experiment upon a large and liberal scale, the article of wine might be in universal demand for home consumption. He believed it would improve the public health. It would augment popular enjoyment, increase the revenue, extend trade, and altogether give general satisfaction. On those grounds, without troubling the House further, he would take the liberty of moving that the House should immediately resolve itself into a Committee for the purpose of reducing the duty on foreign wines.

Mr. EWART, in seconding the resolution, expressed his conviction that a reduction of duty on foreign wines would give a most beneficial stimulus to the trade of this country. He considered that the questions of the reduction of the duties on wine, as well as of the duties on tea, tobaccco, and other articles, must eventually come under the consideration of Parliament as part of one great scheme. He believed that if this nation intended to do justice to its future commercial development, it would be necessary for Parliament to consider the general subject of taxation; and whenever that question came under the notice of the House, the policy of the wine duties must also be considered; but, though he took this general view of the subject, he would cordially support the more partial proposition of his hon. Friend. He did not think that the reduction of the duties on wine would in any degree impair the revenue, for he believed that the increased consumption would fully maintain the revenue at present derived from this source. He might observe that our export trade to France had very greatly increased since the reduction of our tariff; and he thought hon. Gentlemen would concur with him in opinion that it was most desirable to promote, so far as was possible, a friendly intercourse and the extension of commercial relations between this country and France.

The CHANCELLOR of the EXCHEQUER observed, that the flattering results described by the hon. Member for Bolton as likely to follow the reduction of duty on foreign wines were not quite in accordance with experience; for the duty on French wines had been reduced in 1831, and it was not until 1844 that the revenue derived from duties on those wines reached the same amount which had been obtained from that source before the reduction took place. The hon. Gentleman who seconded the Motion had referred to the state of our export trade to France. He was ready to admit that it was most desirable to promote the free interchange of commerce between that country and our own; and the existence of such commercial relations would render it the mutual interest of both countries to maintain an amicable understanding. He must, how-

ever, remind the House that although on this side of the water the duties on most of the imports from France had been reduced, this example had not been followed by a similar liberal reduction by France of the duties imposed on the imports of our manufactures into that country. But it would be satisfactory to hon. Gentlemen to know that, though this had been the case, yet, in spite of the restrictions still maintained by France, the quantity of British manufactured goods exported to that country had increased to an extraordinary extent since the reduction of our import duties on French articles. This country had, therefore, obtained an advantage, though it had not been so extensive as it might have been if the French Government had reduced their excessive duties upon our manufactures. In 1830 the whole value of British manufactures exported to France was only 475,000*l.*; in 1841 it was 3,610,000*l.*; and in 1845, it was 2,791,000*l.* It was clear, therefore, that this country had derived great advantage from reducing its import duties, although no similar concession had been made on the part of France. He was most desirous to promote, to the utmost of his power, the free interchange of commodities between the two countries; and for the sake of doing this he would willingly run some risk of loss to the revenue; but in the present state of our finances he did not think he should be justified in making the large sacrifice required by the hon. Member for Bolton; because experience had shown, that if the hon. Gentleman's suggestions were acceded to, there would be an immediate loss to the revenue, which could not be repaired until after the lapse of some years. Under these circumstances, therefore, he felt it his duty to oppose the Motion.

MR. P. BENNET thought that the Government ought not to be called upon to reduce duty on foreign wines until the duties on malt, soap, and other articles which were much more necessary for the comfort of the people, and for which there was a much more general demand, had been reduced. He considered that it would be much more advisable to repeal the malt tax, which pressed most heavily on the labouring classes of this country, than to reduce the duty on French wines.

MR. HUME was surprised that the hon. Gentleman should object to the Motion of the hon. Member for Bolton (Dr. Bowring); because, if that proposition were carried, the yeomen of some counties might be enabled to drink claret, to which, he believed, they had formerly been accustomed. In 1839 a diplomatic agent was sent to Paris by the English Government to endeavour to conclude a treaty on this subject; and if that attempt had been successful, they would now have had claret in this country at 2*s.* 6*d.* instead of 5*s.* 6*d.* a bottle, and he believed the revenue would have been very considerably increased. He would put it to the Chancellor of the Exchequer whether it was not possible to reduce the duty upon foreign wines without any serious loss to the revenue. He begged to refer the right hon. Gentleman to a despatch from Mr. Pakenham, which had been laid on the Table a few nights ago, referring to the result of the reduction of duties by the United States Government, from which it appeared that in the course of four months after the reduced duties came into operation, there had been an increase in the revenue of 1,000,000 dollars. They had reduced the duty on brandy; and why not now reduce the duty on wine? He had no doubt that individuals might be found ready to contract to pay the same to the revenue as was now paid in respect to the wine duty, if the duty were reduced one-half. The question was an important one, and the right hon. Gentleman ought to dispose of it in the way he had attempted.

MR. STAFFORD O'BRIEN looked upon the present Motion as a halt between free trade and protection. Free trade he took to be the abolition of all duty, and how that could increase the revenue he was at a loss to understand.

DR. BOWRING replied. He had heard nothing like an argument against his proposition. He thought he had laid a foundation for future reform, and, trusting that he might meet with more success at another period, he should for the present withdraw his Motion.

LAW OF MARRIAGE — PROHIBITED DEGREES.

MR. STUART WORTLEY having presented numerous petitions, praying for an alteration of the law of marriage as relating to the prohibited degrees of affinity, said, they were signed by 100 clergymen belonging to the Established Church, 141 Dissenting ministers, 126 solicitors, 6 mayors of boroughs, 68 magistrates, 94 town-councillors, 95 merchants and bankers, &c. He would then proceed to bring

under the consideration of the House the Motion of which he had given notice—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Commission to inquire into the state and operation of the Law of Marriage, as relating to the prohibited degrees of affinity, and to Marriages solemnized abroad, or in the British Colonies."

He said that the numerous petitions which had been presented to the House on the subject of the law of marriage, proved distinctly that the question was one which excited the interest of a large portion of the educated community, and which demanded the attention of Parliament. He trusted that, in consequence of the number of those petitions which had been intrusted to his hands, he should be acquitted of presumption in undertaking to bring the subject before the House, notwithstanding its delicacy, difficulty, and deep importance. It was a subject on which much feeling existed, and with respect to which it might not be difficult perhaps to excite the sympathy of any assembly; but he wished to appeal to reason rather than to passion. His Motion was not the same as that which, on more than one occasion, had been made in reference to this subject in either House of Parliament. In 1841, a revered relation of his introduced the subject before the House of Lords, with, however, but little encouragement; and, it being near the end of the last Parliament, nothing more was done then. In 1842, this subject was again introduced in the House of Commons by one whom they would all regret not now to see amongst them, were they not aware that his absence was occasioned by elevation to a higher rank—he meant Lord Ellesmere. He was happy to find, by communications with that nobleman, that, so far from having altered his opinion, he thought the subject even more deserving investigation now than at that time. He (Mr Wortley), however, was of opinion that it would be scarcely respectful towards the House, on his part, if he were now to renew the identical Motion of Lord Ellesmere, for the introduction of a specific measure; because, if Lord Ellesmere, with his ability and with the influence of his name, was unable to obtain the assent of the House to that specific measure, it would be great presumption in him (Mr. Wortley) to attempt to do so. But, since the measure of Lord Ellesmere was defeated (and only by a majority of 23 in a House of 223 Members) —since that period five years had rolled on, and in that time there had accumulated a mass of inconvenience and hardship. He trusted, therefore, that there would be little objection to his present Motion. By it he did not seek to pledge the House to any opinion with respect to the law forbidding marriages within the prohibited degrees; but at the same time, he felt that he should not be dealing candidly by the House if he for one moment disguised the fact that his opinion was in favour of the relaxation of those prohibitions, and especially of that prohibition which forbad the marriage of a man with the sister of his deceased wife. He would undertake to show that the Act of 1835 had not only been totally inoperative in effecting the object which some of its supporters had in view, but that, instead of rendering the law more certain, it had rendered it far more uncertain, both in respect to marriages and to the questions of legitimacy and titles to property. The Act was professedly introduced to render the law certain. It was well known that, before the Act of 1835, marriages within the prohibited degrees, and among them marriages of men with sisters of their deceased wives, were not actually void, but merely voidable. In former times the ecclesiastical courts assumed the right to decide with respect to the validity of marriages; and the courts of common law so far allowed that assumption as to give effect to the judgments of the ecclesiastical courts on the subject. But, unless the ecclesiastical courts interfered, the principle of the common law of this country was, that such contracts of marriage as he had referred to were valid. But the ecclesiastical courts, trying to stretch their power, endeavoured to interfere with the question of the legitimacy of the children the offspring of these marriages; but the common law resisted this interference, assuming their legitimacy, if the marriage of the parents had not been rendered void. Hence arose the doctrine of "void" and "voidable," against which the Act of 1835 was directed. He wished here to correct an erroneous impression which had gone abroad. It was commonly supposed that the Act of 1835 was introduced to prevent marriages within the prohibited degrees, and that the noble and learned author of the Act had that object in view. This was not the case, the object of the Act introduced by Lord Lyndhurst being rather to quiet the suspense attaching to these marriages and to facilitate

such contracts; and the noble and learned Lord, in the inquiry respecting the Sussex Peerage, made use of the following observations:—

"With respect to the statute just mentioned, I wish to observe, that I am supposed to have brought in a Bill to prohibit a man from marrying his former wife's sister. I did no such thing. The statute simply says that such a marriage shall be void, not voidable. The statute was passed merely for the purpose of getting rid of the doubt which might for years leave two parties and their children in the belief that a valid marriage had taken place, subject, in fact, to have that marriage declared void by a suit instituted just before the death of one of the parties."

It was not Lord Lyndhurst's object to prevent marriages of this description. The Bill was brought into the House of Lords by Lord Lyndhurst, in June, 1835; and, as originally introduced by Lord Lyndhurst, provided that where such marriages had already taken place, they, instead of being voidable at any time during the lifetime of the contracting parties, should not be called in question after six months from the passing of the Act; and that with respect to all future marriages of the same description, they should not be called in question after two years from the date of the marriage. In the course of the progress of the measure, it was suggested that it would be better to make all these marriages which had taken place before the introduction of the Act, absolutely good; and at the same time it was also suggested that it would be advisable to make all such marriages thereafter contracted null and void. The first suggestion, and, unfortunately, the second also, were adopted; and in this shape the Bill passed. Now, let them consider the consequences. The object of those who introduced the clause into the Bill, rendering these marriages, in future, absolutely void, was to prevent the contract of marriages within the prohibited degrees of affinity, and absolutely to prohibit them. The prohibition had now existed for twelve years; but during that time, so far from these marriages having been prevented, numberless such marriages had taken place amongst all classes of society, from the humblest to the highest. On this point he was furnished with valuable information. There was an immense number of persons and families interested in this question, in every part of the kingdom, whose peace was disturbed by the existing state of the law. They agreed to ascertain, as far as they could, what had been the effect of the statute. They employed a number of gentlemen, some of them personally known to him (Mr. S. Wortley), and with all of whom he had had personal communication, and who in the most careful and the best manner that unauthorized persons could, undertook to collect information upon this subject. They occupied themselves upon it for three months. They selected a number of towns, some with a manufacturing, some an agricultural, population; and, in short, representing the different classes of society. They went there in person, and upon the spot made inquiries; and though in three months they examined but a small portion of the country, they ascertained to their entire satisfaction the existence of no less than 1,648 cases, exclusive of those amongst the lower classes; for it was found impossible to ascertain the cases among the humbler classes; these last were not known, and for that very reason they were more numerous, such parties being able to get married when those in the higher classes could not. Of these 1,648 cases, only 196 took place before 1835, 1,364 were since; and in 88 marriage was prevented by the statute. 1,501 were marriages with the sister of a deceased wife; 147 were between parties in other prohibited degrees. In spite of the Act, therefore, an amazing number of these marriages took place. One of the highest authorities in the civil law, who was long an ornament to that House, as he was now one of the greatest ornaments of his department of the law, had stated that he had been consulted over and over again upon this subject, and that the question put to him always was how to evade the law; that he found the subject a most difficult one, and had in every instance endeavoured to dissuade the parties from contracting such a marriage, on account of the doubt which existed, and that he had even strained his own opinion of the real state of the law with that view, but that, having had hundreds of these cases before him, he had succeeded in preventing marriage in but one; a pregnant proof that this law was not consonant to the feelings of society. Among the cases ascertained, there were 5 of mayors of towns; 70 of magistrates and the upper classes, men of title and fortune, naval and military officers, barristers and physicians; 30 of clergymen and ministers of the gospel; 1,503 of the middle classes, including merchants, manufacturers, professional men and tradesmen; of labourers and mechanics only 40,

for the reason already stated. A more extensive collection of facts, to show the operation of the law, might undoubtedly be obtained if inquiry were made by authority of the Government, for the purpose of assisting the Legislature in dealing with so important and difficult a subject. It had been calculated by an ingenious gentleman who had given attention to this subject—and though such calculations could not approach very near to the real numbers, they were just as likely to be under the mark as above it—that there must have been some 6,000 of these marriages solemnized in England since 1835; so that the law upon the subject affected above 30,000 of the population. The real object of the authors of the Act of 1835 was to render the law certain, to quiet families, to quiet titles, to quiet consciences—in fact, to quiet society upon the subject; but, the introduction of the second clause, rendering such marriages void, had the effect of defeating that benevolent intention. First, with respect to marriages solemnized in this country. These included all the cases among the lower classes; and, in spite of the law, they were living in what was commonly supposed to be a state of concubinage. With regard to the middle classes, the great majority also married here; but some went abroad for the purpose, as also did numbers of persons of the highest station. Now, it was generally supposed that there could be but little doubt with respect to the marriages in this country; but such was the strength of feeling against this law, that every effort had been exerted to make out that these were not void; and, after much investigation, a case was laid before one of the most eminent men at the common law bar in 1844, very shortly before he was raised to the bench — Mr. Erle, whose elevation was hailed by the whole country as one of the best appointments that had been made for a number of years. The case raised the point plainly and clearly, and referred to a marriage solemnized in England; and while Mr. Erle's mind was full of the law upon the subject —for he had been counsel in the Sussex Peerage case—he deliberately wrote as his opinion, "I incline to think that the marriage with a sister of a deceased wife is valid." It was not necessary to convass that learned person's argument in detail; it was enough that a counsel of his standing should have given that opinion after the fullest consideration. Since that opinion, many other gentlemen of learning and ingenuity had taken the same view; and, consequently, there hung a great doubt over the question of the validity of such marriages. The result had been, that persons interested in this subject were actually appealing to a court of error, as in the case of a man of the name of Chadwick, who was lately tried at Liverpool for bigamy, in marrying a third wife while his second was alive, the question being whether the second marriage was a valid one at all, since the woman was the sister of his first wife then deceased. The hon. and learned Member for Abingdon (Sir F. Thesiger) was also about to argue the question in a case of settlement under the Poor Law; and the validity of many titles might be dependent upon it. The law upon the matter, independent of the Act of 1835, rested on various statutes of Henry VIII., Mary, and Elizabeth; and the general opinion was, that if the Act of 1845 did not prohibit the marriages in question, they were not prohibited by any Statute, though there was one decision to the contrary, and that the canons of 1603, not having been ratified by Parliament, did not bind the laity. It must be under the ecclesiastical law, if at all, that these marriages could be avoided, independently of the Act of 1835; and the most that could be contended for in that view, under the statute or the canon law, was, that they were voidable, and not void. The doubt as to the law became infinitely greater in the case of marriages solemnized abroad. The law of this country recognised a marriage as valid if solemnized according to the law of the place where it occurred; and, consequently, unless the Statute of 1835 constituted a personal incapacity—as some contended, but as, he thought, it did not —a marriage solemnized abroad might effectually evade the law. But upon this there was every shade of opinion. Some held that a marriage abroad was good, even if solemnized between parties who— as in the cases of resort to Scotland—went there for the purpose, and intending to come back immediately; others contended, that though that was not good, yet, if the parties were domiciled abroad, and intended to stay there, their marriage would be regulated by the law of the foreign country, and might be good notwithstanding our statute; and a third class, including eminent lawyers, as also did the two former classes, insisted that by this statute there was stamped upon the parties a personal incapacity, which accompanied them

wherever they went; and that, even though their domicile were established in a foreign country, they could not escape from the prohibition imposed by this Act. This point affected chiefly the richer class, who were best able to pass over to another country; and it must be remembered, that they were the owners of property, and their settlements and the title to their estates became liable to doubt in consequence of the state of the law. With regard to Scotland, it was stated in the text books that marriages there within the prohibited degrees were void; but he had in vain endeavoured to trace the authorities for the statement; and, though he found authorities for the position that such marriages were voidable, he was not able to satisfy himself even of that. He believed the law of Scotland on this subject to be dependent on the Levitical law; and the immense preponderance of opinion in this country, both among lawyers and divines, was, that the Levitical degrees did not include the relationship in question; and, if so, persons crossing the border might contract a legal marriage, notwithstanding the statute. A benevolent object of the Act was to relieve children from suspense during the lifetime of their parents, since the marriage might formerly be disputed during the joint lives of the parents; but where the effect of a marriage out of England was doubtful, the suspense was now perpetual, and at the distance of a century the question might have to be tried whether parties were domiciled in France, or in Holland, or Hanover—a question depending upon whether they intended to stay there or to come back—a question almost impossible to be ascertained after twenty years. Many titles must thus be rendered insecure for years and years, because of such marriages. That was an intolerable state of things; and it had been very widely felt. Several petitions had been presented with respect to it from solicitors, a most intelligent class, well acquainted with the subject, and speaking apparently against their interest; for difficulties and suits would be multiplied by the law being left in its present condition. In 1841 a petition was presented to the House of Lords, signed by seventy-seven leading firms of solicitors in London, well conversant with titles, and with the deeds and muniments of landed property; and they stated—

"That the effect of the existing law, which prohibits marriage within certain degrees of affinity, admits of serious doubts as applied to such marriages solemnized abroad; that your petitioners have reason to believe that numerous marriages of this kind, especially between widowers and their deceased wives' sisters, have been solemnized abroad since the passing of the Act of the 5th and 6th of William IV.; that in the opinion of your petitioners such a state of the law is highly inexpedient, being calculated to create doubts as to the legitimacy of children, to promote litigation amongst the nearest relatives, and to place the titles to numerous estates upon an insecure footing."

There were also petitions from a great number of country solicitors. Since that time it had been ascertained that these marriages abroad had been continually taking place, and were increasing in number. Since he gave his notice of Motion, scarcely a day passed without some new case coming to his knowledge; within the last forty-eight hours he had heard of one which took place within a very recent period, between parties in the highest ranks of society, who went abroad to avoid the statute. He was not perhaps in a situation to state his facts in such a way that Parliament could legislate at once; but he apprehended he had made out a case for inquiry. He had been told it would be said, "Although you do not wish to pledge the House upon the question of marriage within prohibited degrees, the very granting this commission will raise a doubt whether they ought not to be allowed." But was it necessary, in order to raise that doubt, that this Motion should be carried? Was not the question being canvassed in every society? Was not the crying evil such as must, sooner or later, force itself upon the House? Was it not best to make inquiry at once, that the new Parliament might have the facts before it? If he could conceive that it could do any injury to society to alter or to investigate the law which was supposed to prohibit marriage with a wife's sister, he would be the last to propose it. But what was the case in other Christian and Protestant countries? Why, we were almost alone in this regulation, with the exception of some of the cantons of Switzerland, and those certainly not the most likely to be followed by us as legislators. When the same Sovereign ruled these dominions and Hanover, he was in the habit—George III. was in the constant habit—of granting dispensations to enable persons in Hanover to marry, notwithstanding a relationship which was supposed to make a marriage between them unlawful here—it was the custom and the law of Hanover. In France these

marriages were allowed by dispensation previous to the Revolution; at the Revolution there was no law upon the subject for a time. Subsequently a commission was issued, and their opinion was in favour of such marriages; but the ultimate result was, that they were prohibited, as the marriages of uncles and nieces were prohibited, though the extraordinary distinction was drawn, that a dispensation might be obtained in the latter case. In 1832, after the experience of a great many years, France returned to the law which existed prior to the Revolution; and nothing was so easy as to obtain the dispensation necessary for contracting such marriages. In that country provisions were introduced into the law which prevented the possibility of these marriages being turned to immoral purposes. The only objection to the Motion which on the present occasion he would venture to meet, was the objection that, in raising doubts upon the subject by instituting an inquiry, the peace of families would be disturbed. But it was disturbed as the law existed. No young woman, it might be alleged, could incur blame for taking charge of the family of her deceased sister under their own roof. He denied the validity of the argument—he denied the fact. Could a young woman with safety go to reside with her brother-in-law when he was a widower? Could she do so without bringing reflections on her own character? Among the middle classes, for example, the result of investigation showed that she could not. A correspondent, who had taken pains to make himself acquainted with the state of feeling on the subject, said—

"In regard to the position of a deceased wife's sister, who, as the law now stands, after her sister's death, resides in the house of the widower, I found it everywhere acknowledged that no woman could without provoking scandal live permanently with the husband of her deceased sister. In the middle classes, to whom, from various causes, the idea of marriage with a deceased wife's sister is perfectly familiar, the progress of scandal, where the parties live together, is rapid and decided; for if circumstances make a match of the kind feasible—the state of the law being put out of the question—it is generally looked upon by the neighbours as the best thing that could happen. As to the lower orders of society, they are quite incapable of comprehending the considerations of refined delicacy on which the law has been defended; and during an inquiry which lasted for more than two months I did not meet with one man or woman in humble life who considered marriage with a deceased wife's sister improper. You will draw your own conclusion from this fact."

Another correspondent said—

"I have been much struck with the frequent instances which I find of scandal being exceedingly busy where the wife's sister, being at all a young person, lives in the house of a widower. I have never met with a case of this sort without hearing, more or less, malicious remarks, and, in many cases, from the very persons who were professing opinions hostile to the marriage on the ground that they ought to be as brother and sister."

A young woman, then, could not live in the house of her brother-in-law, after the decease of her sister, without scandal; and that such was the case appeared further from the fact, that when young women who were willing to devote their care and attention to the children of a deceased sister had attempted to do so, they had not been able to remain in such a position; the parties had been forced to set the law at defiance, and endeavour to obtain elsewhere that sanction to their marriage which was refused in this country. And, further, could it be denied that the present law led to immoral consequences? Not long ago a most painful case came before the public at the assizes in one of the midland counties. It was the case of a young woman, who, up to that time, had borne a most irreproachable character, and been placed in a most respectable station; she resided with her brother-in-law, and assisted him in the post-office. They formed an attachment, and applied to two clergymen of the town with the view of being married. But both clergymen refused to celebrate the marriage. Not long after, that unfortunate young woman was tried as a common felon; and though the prosecution failed to bring home the charge on which she was arraigned, there was no doubt from the evidence that criminal intercourse had taken place between the parties. He thought he had shown how injuriously the great uncertainty of the law in its present state affected society; and the evils to which it had given rise established the necessity for instituting inquiry. He held in his hand a remarkable petition from the city of Lincoln, signed by all the clergy with the exception of the dean. The petition was as follows:—

"That, in the opinion of your petitioners, it is of the last importance that the law affecting the validity of marriages and the legitimacy of children should be clear and well-defined. That, as your petitioners are informed, the effect of the law as it now stands, admits of great doubt in cases of marriages with a deceased wife's sister, which are of the most common occurrence. That, although your petitioners are by no means advocates for such marriages, they humbly conceive, that as the uncertainty of the law may have tended to encour-

age the celebration of them between parties whose sentiments on the subject differ from their own, it is expedient that all marriages of that description which have been solemnized since the passing of the Act of 5th and 6th William IV., c. 54, should be declared valid, and that the law with reference to similar marriages in future should be clearly defined."

Their opinion was in favour of a relaxation of the law, so as to make existing marriages valid. On the other hand, there were many clergymen who not only thought the present uncertainty of the law a cruel grievance, but were satisfied from experience that the law ought to be relaxed. He could refer to the opinion of the late Dr. Tattershall, who had frequently shown his anxiety to facilitate such marriages; and he could refer also to the opinions of the Rev. Mr. Close, of Cheltenham; of the Rev. Mr. Hatchard, one of the clergymen of Plymouth; and of the Rev. Mr. Hill, Archdeacon of Derby, whose learned diocesan esteemed him as one of the best clergymen in the diocese. There was no division of opinion among them as to the necessity of a remedy for the present evil. If it was conceded that some inquiry ought to be granted, it only remained to decide what shape that inquiry should assume. He repeated that he thought it hardly respectful to the House to propose a Bill under existing circumstances. His first impression was in favour of a Committee; but, considering the period of the Session at which they had arrived, he had abandoned the idea, especially as he was not prepared to give up the whole of his time to the inquiry, which he should feel bound to do if he sat on such a Committee. He had, therefore, proposed a Commission, which possessed peculiar advantages, and by which the inquiry might be fully, liberally, and confidentially conducted; for it was desirable that the commission should have power to take evidence under seal of confidence. He had now stated the grounds on which he asked the assent of the House to his Motion. He had anxiously avoided saying aught to offend the feelings of any Gentleman whose views differed from his, or attempting to pledge the House to any specific opinion. But, if he had succeeded in showing that so great uncertainty existed as to the law on the subject, and that so great mischief was thereby wrought to society in regard to property, morals, and the intercourse of families, he did hope that Her Majesty's Government and the House would consent to his proposal, that an Address should be presented to Her Majesty praying for the appointment of a Commission of Inquiry. When that Commission had reported, it would be for the House to consider whether measures should not be taken to relieve society from the embarrassment, excitement, and trouble attendant upon the present unsettled state of the law.

Sir G. GREY said, that it only remained for him to express on the part of Her Majesty's Government their concurrence in the Motion. The grounds which the right hon. and learned Gentleman had stated so clearly to the House in favour of his proposition, were amply sufficient to justify an inquiry into the existing state of the law. After the observations of the right hon. and learned Gentleman, it was unnecessary to enter at any length into the reasons which induced Her Majesty's Government to think it advisable that an inquiry should be instituted. It was enough to say that the law was at present in a most unsatisfactory state; he was satisfied of this from his own knowledge; but it was, further, in accordance with the experience of others who had the fullest means of information, and whose opinions were entitled to the greatest weight. Such an inquiry as it was now proposed to institute would enable them to see their way more clearly to a remedy. The law of 1835, instead of accomplishing the object it was intended to accomplish, removing the doubts previously existing on the subject, had increased the difficulties which attended marriages of this nature, and to a considerable extent had also led to immorality. It was but an act of charity and justice that the law should be cleared up in some way or other; and the course proposed by the right hon. and learned Gentleman was the best which could, under the circumstances, be pursued. Persons might be appointed on a commission whose opinions were entitled to the greatest weight, who were fully competent to conduct such an inquiry, and who could devote more of their time to it than Members of that House, in other respects perhaps qualified to take part in an investigation. In acceding to the Motion, he begged to state that he did not wish to express an opinion as to what the law ought to be. The uncertainty of the existing law had been proved to his own satisfaction; and, under these circumstances, he was certainly prepared to give his assent to the Motion.

Sir R. H. INGLIS regretted that the right hon. Gentleman the Secretary of State for the Home Department had given

his consent to the Motion. It was true, indeed, that the right hon. Gentleman the Member for Bute (Mr. S. Wortley), who might be called the hereditary friend of this Motion, had conducted the discussion in a manner so absolutely unexceptionable—evincing such laborious investigation, as well as attention to all the delicacies involved in the consideration of the question—that no fault could be imputed to him. But when the right hon. Gentleman the Secretary for the Home Department gave his consent to the Motion (without which consent it could not have a chance of being carried), it was for the House to say whether they were prepared to retract their decision of 1842, when by a considerable majority they refused to alter the law when leave was asked by the present Lord Ellesmere to bring in a Bill to that effect. When the House should pass an Address to the Crown praying Her Majesty to issue this Royal Commission, it would imply a desire and intention to make some change in the existing law. At all events, inquiry implied dissatisfaction. Then, as to the history of the existing law—what practical benefit did the right hon. and learned Member for Bute expect to derive from the statement in the earlier part of his speech as to the construction of the last Act passed in relation to this subject? Who cared whether the stories of the circumstances in which the Habeas Corpus Act was adopted, were correct or not? People took the law as they found it. And what mattered it whether Lord Brougham proposed a particular clause in the Act as to these marriages for a particular purpose? By that law the question ought now to be decided. The right hon. and learned Gentleman urged, in the first instance, the number of petitions presented in favour of an alteration. It was stated that 153 clergymen had petitioned to that effect; but what was the value of that 153 when compared with the 15,000 who silently opposed any alteration? His right hon. and learned Friend had also referred to the number of cases in which such marriages had been contracted—for the purpose of showing how large a proportion of the people of England were interested in this question. But that number embraced at the most only a fractional part of the whole kingdom. His right hon. and learned Friend had also said that England was the only country—the only Protestant country at least—in which such marriages were prohibited. He doubted exceedingly that fact; but admitting it to be so, it did not follow that the law of England was necessarily wrong. Was his right hon. and learned Friend prepared to legalize, in this country, all the degrees of consanguinity permitted in foreign countries? At present, perhaps, there was no demand made for further relaxations beyond that now under consideration; but if that were agreed to, it would give encouragement to further demands in pursuance of the precedents of foreign countries. His right hon. and learned Friend's present Motion, it was true, did not include any further relaxations; but he gave a precedent, if he did not give any argument, for them; and his precedent would go further than an argument would carry him on the subject. He should have pre-eminently desired to have the benefit of the judgment of his right hon. Friend Dr. Lushington on the subject. That was not the only occasion on which he had regretted his absence from the House; that was not the first time he had regretted that Her Majesty's Judge Advocate (Mr. C. Buller), and another hon. Friend whom he did not then see in his place, had not been pleased to bring forward a Motion to which he thought, from what had fallen from them both, three years or four years ago, they were almost pledged—a Motion to repeal so much of a certain statute as prevented Dr. Lushington sitting in that House. He and that right hon. Gentleman (Dr. Lushington) had voted very seldom together in former times, and probably should vote as little together in future; but he certainly felt that his opinions in matters of this kind, and on questions of international law, were entitled to the highest respect. The opinion of Mr. Justice Erle had been quoted by his right hon. and learned Friend (Mr. S. Wortley). Now, in the first place, his right hon. Friend had himself stated that this was the opinion of Mr. Justice Erle, when a barrister—of eminence, he admitted, but still a barrister—upon a case submitted to him. Now, every one knew that the value of a lawyer's opinion depended upon the case laid before him. He had not seen that opinion, and did not know that it was entitled to any particular respect, except as coming from such a man as Mr. Justice Erle; but still, let the House recollect that it was the opinion of a counsel on his brief, and not the decision of a Judge on the bench. His right hon. and learned Friend had likewise quoted a number of cases in which the existing law had been violated. Was not this, in a House

of lawmakers, a singular reason for altering the law, not that it was wrong, but that it had been broken? The opinion of a clergyman here, and a lawyer there, and a solicitor in some other place, who had aided in the invasion and infraction of the law, had been quoted; but for his (Sir R. Inglis's) part, he had always held that the opinions of those who kept the law, were entitled to far more respect than the opinions or the wishes of those who violated it. As it so happened that he was the individual who had first urged the House to refuse leave to Lord Francis Egerton to bring in such a Bill, he did not consider it was taking an undue liberty with the House when he in some degree repeated the arguments which the House had considered sufficient to justify such an unusual course as that of refusing leave to bring in a Bill, particularly when asked by an individual—he would not say so high in station, for he left that out of view altogether, but—of such high talent and personal character as Lord Francis Egerton. But still, not his talents, not his station, not his personal character, could induce the House to consent to bring in a Bill to make this alteration; and, therefore, without meaning any disrespect to his right hon. and learned Friend (Mr. S. Wortley), he had been anxious to rise before the Secretary of State rose, in order to make his appeal to the House, when it was less committed, to do that which they had done four years ago. On that occasion he had stated, in substance at least, that he regarded the practice to which the sanction of the law was now invoked as one which was contrary to the general interests of society, because hazardous to the peace and purity of families; that it was opposed to Scripture rule, and, although he did not lay undue stress upon the canons of the Church, either of our own Church or the Church of the earlier ages, still he did feel that the practice, which for a great many centuries had been enforced, was, at the same time, in accordance with the canons, and was directly contrary to what was now sought to be established. He apprehended that no real doubt existed, so far as the decisions of the law were concerned —he did not speak of the opinions of individual lawyers—that up to the present moment the one degree which was now sought to be blotted out of the list of prohibited degrees, was *ipso facto* prohibited. He saw no occasion then for appointing a commission to inquire into the state of the law. That point was conceded. The state of the law was, that a marriage of this kind was within the prohibited degrees, and was not valid in law. If that were so then, and having no doubt that it was right to maintain the law in this state, he considered it inexpedient to appoint a commission to inquire into that matter. He believed that the existing state of the civil law only came in aid of the canon law—that it directly followed out the principle laid down in the Holy Scriptures, and the immemorial practice of the Church. He admitted that, *totidem verbis*, the marriages which it was now proposed to legalize were not prohibited by the Levitical law; but he asked if they were not by a parity of reasoning as completely prohibited as anything could be? Could any human being contend, for instance, that when the Levitical law prohibited the marriage of a man with his daughter's daughter, it did not also prohibit him from marrying his daughter? He therefore maintained that the absence of a direct prohibition against a man marrying two sisters in succession was no proof that such was not contrary to that law. It had been often held, as a deduction from the Levitical law, that the marriage of one woman to two brothers in succession was illegal; and did it not follow that the marriage of one man to two sisters in succession was equally so? He now came to a different branch of the subject, namely, the practical effects of the admissibility of the marriage of a man with two sisters in succession upon the habits of families. The right hon. and learned Gentleman had stated—and he had seen similar statements in a pamphlet by Mr. Campbell Foster—a most elaborate pamphlet on the subject, and probably comprising all that could be said in favour of this proposition—he found there statements similar to those which had been quoted by his right hon. and learned Friend, showing the hardships which were inflicted by prohibiting a man from taking his wife's sister to be a second mother to the orphan children. Now, on the other hand, he knew a case in which, if it had not been that the sister of the deceased wife felt that on entering the house of her brother-in-law she was as safe and as much above scandal as if she had really been his own sister, several children of a very tender age would have been deprived of the care which they had since enjoyed till they arrived at mature years. If then the right hon. and learned Gentleman could produce an instance in which great evils had arisen from this law, he could thus quote one in which great blessings had occurred—blessings which would

most certainly have been withheld if the young lady who succeeded to the charge of the orphan children had ever supposed it possible that she could have been the wife of their father. He believed that so long as a feeling of sanctity attached to that relation, no improper feelings were likely to exist between these parties, any more than between the nearest blood relations; but the moment they were placed in a different position, and allowed to occupy a place in each other's affections which the law at present refused, from that moment they were placed in a way of temptation from which they were at present exempted; and exactly in that proportion the law would deprive the orphan children of the benefit of that protection which they might otherwise enjoy. Under these circumstances, and retaining the opinions which he had expressed on the last occasion on which the subject had been brought forward—and believing from the general practice of the House in former cases that inquiry would lead to concession—he deprecated the inquiry which was now requested. It might be, that the concession would not be such as the right hon. and learned Gentleman asked for, or which the petitioners desired to obtain; but it would be such as would unsettle the minds of the people, and lead them to conclusions alike inconsistent with the law of nature and the practice of the Church; it would be such as would unsettle the minds of the people without conferring any corresponding benefit, inasmuch as the total number of persons who were affected by the existing law was exceedingly small in comparison with the mass of the people, and was not such as would justify any great change in the policy of the country, especially on a subject so important as the sanctity of marriage. For these reasons he opposed the Motion.

Mr. MONCKTON MILNES said, he could not help accusing the hon. Baronet of having carried the House further into the subject than he was entitled to do from the speech of his right hon Friend (Mr. S. Wortley). His right hon. Friend had abstained so carefully from entering into the real merits of the subject, as a question of discussion, and had confined himself so completely to the task of showing that the question was involved in doubt, that he thought the speech of the hon. Baronet, which had exhibited all that could be said on his side of the question, was rather inconvenient on the present occasion, because, the Government having agreed to the Commission, it was not desirable to enter into the general question, which they would have an opportunity of discussing on a future occasion. He, therefore, would not have risen except for the purpose of offering his sincere thanks to his right hon. Friend for having brought the question before the House. On a former occasion he did not think it right to register his vote, as he did not feel it was one on which he could entirely make up his mind; but, as far as the present question was concerned, he felt that it was absolutely necessary that something should be done. He was confirmed in this by all he had seen about him in his little sphere, as he imagined what he had seen was not the exception, but the rule of what was going on in England generally. He was convinced that something was necessary to be done for the peace, not of the upper classes of society, who might be supposed in a great degree able to protect themselves, but for the sake of the lower classes, who could not. He pressed upon the hon. Baronet and the House this important fact, that on this question the public opinion of England did not generally support the law; and that where this was the case it was absolutely necessary some change should take place.

Dr. NICHOLL said, that he retained the opinion which on the occasion of Lord Ellesmere moving for leave to bring in his Bill he recorded in common with a great majority of the House, in unison with the opinions expressed in the speech then delivered by his lamented Friend Sir W. Follett. His right hon. and learned Friend had not dealt quite fairly with that eminent individual when he referred to his opinion as being favourable to the object which he had in view; because, when he was called upon—on the occasion of Lord Ellesmere's Motion—to express an opinion on the question of the propriety of altering the law, he declared that he felt a decided objection to it. He wished that his right hon. and learned Friend had omitted from his Motion the words which called for inquiry into the operation of the law. It did not appear reasonable, that because certain persons thought proper to evade the operation of the law, that circumstance should be made the subject of inquiry by a commission. The circumstance which principally reconciled him to the appointment of the Commission was, that it would extend its inquiries to the effect of marriages abroad. It, however, appeared to be a matter of doubt, from the terms of the Motion, whether his right hon. and learned Friend in-

tended the inquiry of the Commission to apply to marriages within the prohibited degrees of consanguinity.

MR. STUART WORTLEY said, it was intended that the Commission should inquire into the operation of the marriage law, as related to the prohibited decrees of affinity in this country; and then—as a perfectly distinct question—into marriages solemnized abroad, whether within the prohibited degrees of affinity or not.

MR. WATSON said, that the present state of the law was unsatisfactory; and when it appeared that within the period of eight years no fewer than 1,600 instances of marriages within the prohibited degrees had occurred, that fact, of itself, rendered it incumbent on the House to institute an inquiry into the subject.

Motion agreed to.

IRISH FISHERIES.

SIR H. W. BARRON said, that the object of the Motion of which he had given notice, was to give profitable employment to a large body of the Irish people, amounting, according to his calculation, to 400,000 persons, including the families of the fishermen. Looking to the important measure which was about to be put into operation in Ireland—he referred to the Poor Relief Act—it was necessary to find employment for the people, otherwise the most disastrous consequences would ensue. It was notorious that the Irish fisheries were not in the same flourishing condition as those of Scotland; and that was attributable to the circumstance of the former not having obtained as much encouragement from Parliament as the latter. It appeared from a return which he moved for in 1835 that during the ten years preceding that date, Parliament voted 143,791*l.* for the purpose of stimulating the Scotch fisheries, whilst, for the same period, only 12,000*l.* were voted to effect a similar object in Ireland. In consequence of the fostering care which the Legislature had extended to them, the Scotch fisheries had become the most prosperous in Europe, not excepting even the Dutch. It was a melancholy fact, as regarded Ireland, that Scotch fish of the value of 50,000*l.* were annually imported into that country, and purchased by the poor people; whilst, upon their own coast, within sight of the land, were myriads of fish, which were never caught. Scotch fish sold in the port of Dublin for 17*l.* a ton, whilst Irish curers would be able to sell with a profit at 7*l.* per ton, if the fish were only caught. The six curing-houses and two depôts which the Government recently established in Ireland, had been attended with signal success; and that should encourage them to proceed further in the same course. This was not an exclusively Irish question; it was one in which the people of England were intimately interested; for, if employment should be found for the Irish people at home, they would not be tempted to immigrate into this country, to deprive the labourers here of the employment which was their natural inheritance, and bring disease into the heart of the land. It was his wish that the number of curing-houses in Ireland should be extended to 100, and that inspectors should be established along the coast. He intended to move for the appointment of a Committee on this subject; but the inquiry which would be delegated to that Committee would not occupy much time, for he should be able to produce six witnesses of high character and great experience on the subject both in Scotland and Ireland, whose evidence would satisfy the House and the country of the necessity of adopting the measure which he recommended. No man could be more disposed than he was to acknowledge warmly the sympathy which the English people had displayed for the distress of the Irish nation; but it was necessary to go further, and find employment for the Irish. The accounts which he had recently received from Ireland were of the most distressing character. The farmers were discharging their labourers and the gentry their servants, whilst the shopkeepers in the towns had no business to transact. Mechanics, also, of every class, were unable to obtain employment, and were being placed on the relief lists. He assured the House that this was not an exaggerated picture of the present state of Ireland. It was not his intention in bringing forward this Motion to impute the slightest blame to the Government. On the contrary, he thought the present was the first Government which had taken a step in the right direction as regarded the Irish fisheries. He desired only that they should go further, and for that purpose it was desirable that the right hon. Secretary for Ireland should be fortified with the evidence which would be given before a Committee, and which he might make the groundwork of a comprehensive measure to be introduced during the present or in the next Session of Parliament. He moved that—

"A Select Committee be appointed to inquire into the means of improving the Fisheries in Ireland, and thereby affording profitable employment."

MR. LABOUCHERE admitted the great importance of the subject brought under the notice of the House by his hon. Friend. There existed on the coasts of Ireland a mine of wealth, of which it was almost impossible to over-estimate the value, which would not only yield supplies of food and give employment to the people, but rear up a hardy race of seamen as fit to defend their country in time of war, as to supply her with the means of subsistence in time of peace. This question had occupied much of the attention of the present and of preceding Governments. Several Committees and Commissions had been appointed, and there were abundant means on the Table of acquiring information. A series of measures, founded on the information that had been obtained, had been proposed by the Government, and which were in progress; and, judging from the experience that had been had, very important and beneficial results might be expected. His hon. Friend had referred to the Scotch fisheries; but he believed that the growth of those fisheries was more to be attributed to the energy of private enterprise in that country than to anything derived from the fostering care of the Government in the shape of bounties—a system persevered in at a great expense—or in the establishing a large staff of commissioners. At the same time he did not deny that there might be modes in which the assistance of Government or of Parliament might be extended to these fisheries, without unduly interfering with that private enterprise which he looked to as the only safe foundation for ameliorative measures in Ireland. One of those methods was the constructing of fishery piers on the coast of Ireland, at many parts of which they were much wanted, for although there were good fisheries, there were no harbours for the fishermen to resort to in stress of weather. Parliament had already devoted large sums to this purpose. The late Government had very properly proposed a sum of 50,000*l.* by way of free gift towards erecting these piers; and, the present Government had, during the present Session, proposed a sum of 40,000*l.* for the same purpose. He trusted Parliament, in its liberality, would enable the Government to devote yet further sums in the same manner, which, as not interfering with private enterprise, he viewed as a perfectly legitimate way of extending assistance. Another mode which the Government had recently adopted in Ireland, and which had produced most beneficial results as far as it had gone, was to a certain degree liable to the objection of interference with private enterprise; but at the same time, so far from that having been practically the case, it would, he believed, stimulate enterprise by showing the successful and profitable results to be obtained from following the plan which the Government had adopted. He alluded to the curing stations established on different parts of the coast, the operation of which he had most anxiously watched during the short time they had been in existence. The results had given him the most lively satisfaction, and encouraged him to hope that, little as was the cost, and working as they did in a most unostentatious manner, most important benefits would arise in regard to the fisheries of Ireland. The Government had established six of these curing stations on different parts of the coast, selecting those spots where the fisheries were known to be good, and yet where there was no private trade to interfere with. In those six places, out of a sum of 5,000*l.*, which was not voted by Parliament, but taken from the Reproductive Loan Fund—with these small means the Government had been enabled to establish those six stations, upon the simple principle of appointing at each of those stations an agent, in whom they could confide. They also appointed experienced Scotch curers, who could cure the fish in the best manner, and gave out that they would buy, at a fair price, all the fish that should be brought to them for sale. They had thus established regular markets for those fishermen who chose to bring in their fish for sale. By doing this, and by establishing depôts for salt, which salt they sold in small quantities, at cost price, to any parties who wished to buy it to cure their fish; and by applying sums of money in the purchase of tackle and hooks, and things of that description, which they also retailed at cost price to such fishermen as would purchase them; by these simple means, without an expensive machinery, or large staff of inspectors, and without interfering with private enterprise, the results, as they appeared from the stations which he had established, were sufficient to show that they were in the right track in following this plan; they might hope in the most beneficial manner to promote the fisheries of Ireland by this means, to an extent they could scarcely anticipate when the scheme

was proposed. The system was under the superintendence of a gentleman, whose name he could not mention without stating how much the country was indebted to him for the care and attention he had devoted to it; he referred to Mr. Mulvany, of the Board of Works, the superintendent of the curing stations, who had been able to produce the most gratifying results by the way in which the fish had been cured. His hon. Friend (Sir H. W. Barron), in bringing forward his Motion, said it was a grievous thing that the Scotch fishermen and curers should be able to catch and cure their fish on the coasts of Scotland, and entirely monopolize the fish market with the fish so caught, while the Irish neglect to fish upon their own coasts. He was not, he hoped, addressing any Scotch Gentlemen who might take alarm at what he was about to state; but the result of the system to which he had been adverting was this, the fish thus cured was driving out of the Irish market the Scotch fishermen, and the Irish fishermen were enabled to undersell the Scotch fishermen in the markets of Ireland. Some other incidental advantages had occurred from the establishment of those fishing stations, which as yet, he should observe, were only in their infancy, and there had not yet been time to develop their resources. It had turned out that the establishment of the Government stations, and the example which they had set, were already beginning to attract the observation of private speculators, who seeing the Government success were imitating the example. And that was just what he wanted to see, for nothing would be more absurd than for the Government to undertake on a great scale to catch and cure the fish on the coasts of Ireland, or embark in a great commercial occupation of that description. That was not the province of Government. By embarking in such transactions they might only do mischief; they would of course drive out of the market all private speculators; and great fisheries could only be conducted in Ireland, as in other countries, by private enterprise, and by that activity which the stimulus of self-interest always applies to the commercial pursuits of any branch of the community. It would appear that speculators in England were turning their attention to this subject, and sending off boats to the fishing stations on the Irish coast. He held that to be desirable, and had got a letter that day respecting a vessel that had arrived on the west coast of Ireland, from Gravesend, sent there by a gentleman connected with fisheries in England, for the purpose of trying the experiment whether he could there successfully practise this branch of trade. The following is the letter to which he referred :—

"Shortly after posting my letters yesterday, there arrived in this bay a fishing-smack from Gravesend. I spoke to the captain, who knows but little more than that he has been sent by a Mr. Dicers, from Pimlico, London, to fish in this neighbourhood. I went on board this morning, and found her fitted out in first-rate order, lines, hooks, trawls, and new nets, plentiful and strong; 50 ton vessel, name *Pacific*, Captain J. Negus. She has a fine well, boxes, salt, and every other requisite on board."

Now this showed that the result which they were desirous of producing, was, by means of this system, actually taking place, namely, that private speculators were turning their attention to this branch of industry. He hoped they would be induced by the example of the Government to embark more largely in it; and if that were the case the most important advantages would be conferred on the most valuable branch of national industry in Ireland. Another excellent effect produced by those curing stations was, that they supplied a sort of education for the fishermen of the coast where they were established. Several circumstances had been communicated to him to show that this was the fact, and that the fishermen were beginning to come for instruction and advice to the persons connected with those establishments. He held in his hand a letter on this subject from Kinsale, from the individual who was the Commissioner for fisheries on that coast. He stated—

"The Baltimore station, where just enough fish has been purchased to show what a contrast there is between things done well and ill, has become a regular training school. Yesterday I was exhorted by a respectable man residing on the coast, nearly twenty miles from the station, to permit him to send two sons to lodge in Baltimore, and to be trained by our curer."

They had adopted a better mode of curing fish than that which had previously been practised on the Irish coast, and that led to important results with regard to the curing of fish, which of course were absolutely requisite, if it were to be expected that there would be a demand for it in the market. The principle on which they had acted was so well laid down in the report of Mr. Mulvany, which had been recently laid on the Table of the House, on the subject, that he should read a short extract from that report, as comprising, in a compendious form and most clear language, the principle on which Government had acted.

[The right hon. Gentleman read an extract, from which it appeared that the writer was favourable to the establishment of curing stores, and markets to ensure a steady demand in the neighbourhood of the fisheries.] Those were the principles on which those curing stations had been established; and he trusted, from what he had stated to the House, that the House would be of the same opinion he was, namely, that those establishments had been productive of the best results, and that they might fairly expect from those sources a great stimulus to this branch of industry on the coast of Ireland. With regard to what the hon. Gentleman (Sir H. W. Barron) had said, as to the different manner in which Parliament had treated Scotland and Ireland with regard to the encouragement of their fisheries, he had only to say that if he thought it would be really beneficial to the Irish fisheries to resort to that mode of encouragement which Parliament had adopted towards Scotland in former years, but which was now abandoned—namely, to give bounties—he should recommend it; but he believed it had failed notoriously in Scotland. He believed it would equally fail in Ireland; and he could not advise the House to adopt any such plan. But as to the other mode adverted to, namely, the advancing of money for the construction of small fishing piers, he admitted that up to the last two years, any Irish Member might justly say, "You gave money to Scotland for this purpose, but not to Ireland." But during the last two years, that could not be said. The late Government gave 50,000*l.* last year, and a sum of 40,000*l.* was given in the present Session at the instance of the present Government. They had also advanced money on loan to those proprietors who were willing to establish fishing piers in connexion with their properties; and he felt that his hon. Friend could no longer say that Parliament had shown any want of the desire to establish fisheries in Ireland, when they had thus liberally given money—which he thought had been beneficial—for the purpose; and he trusted those sums would be augmented at future periods, for the same purpose. On this point he was anxious to call the attention of the House to a passage in a very able historical sketch by the late Sir Charles Morgan, and to the results of his knowledge and experience, and the doctrine that was laid down very clearly and fully in this extract:—

"In retracing the facts spread through a period of more than two centuries, the reader cannot but be struck with the repeated failures of successive efforts to create a domestic fishery both in Great Britain and in Ireland. By some these are attributed to errors of management, and to a premature abandonment of the measures of encouragement; and the averment perhaps may be partly true; but it is impossible to overlook the fact, that, amidst all the efforts of Government, and the popular enthusiasm in favour of fisheries, they have not been a favourite speculation with capitalists; so that mercantile enterprise has been far from going hand in hand with administrative liberality. To this statement the Scotch fishery alone affords an exception; what inference should be drawn either from the rule or from its exception, the reader will determine for himself; but it does not seem too much to affirm, on experience of the past, that, whatever value to individuals may be set on any assistance which Government may hereafter think fit to afford the fishermen, through any better-directed system of encouragement, the trade must still eventually stand or fall by the spontaneous efforts of the parties interested, and the stimulus of remunerative markets."

It was to remunerative markets he looked for the development of the Irish fisheries; and the example which, on a very limited scale, the Government had given, would, he hoped, be productive of beneficial results. He believed that the construction of railways in Ireland would afford a very great means of stimulating Irish fisheries. He had no hesitation in saying that a railway across the country to Galway, and another to the great fishing stations in the south of Ireland, would have that effect, by enabling persons to bring the fish from those places to Dublin, and even to England. He had no hesitation in saying that he concurred in what the noble Lord opposite (Lord George Bentinck) had said in that respect; although he did not concur with the noble Lord as to the exact manner in which the construction of railways should be encouraged in Ireland; he concurred with the noble Lord in thinking that a railway connecting those coasts with Dublin, would afford a great stimulus to fisheries in Ireland. He did not think he need trouble the House at any greater length on this subject. With regard to the Motion of his hon. Friend for a Committee of Inquiry, he confessed he did entertain very great doubts whether it would be advisable to agree to the appointment of a Committee at the present moment. He put it to his hon. Friend, whether he would advance the objects he had in view by asking the House to grant this Committee. What had the Committee to inquire into that was not already known to the House? Abundant information on the subject was in their possession; and if ever there was a subject which had been tho-

roughly and ably investigated by commissions over and over again, it was the subject of the Irish fisheries. He really believed that on every question relating to it they had the most ample information; they had the evidence of men of great information before the House. However, if that were his only objection to the Motion, he would not, on a question thus brought forward by an Irish Member, offer any resistance to it; but there was another objection of a practical nature which had been thrust on him, and he could not help calling the attention of the House to it; and it was this. At this moment the result of a Committee of Inquiry on Irish fisheries would necessarily call away from the duties in which they were actively engaged those whose time was most valuable, and whose absence from their duties would be most unfortunate. It was most important that the proceedings of the persons who were prosecuting the fishing operations should not be interrupted; and he did not think any advantage would be derived from any inquiry that was instituted on the subject, commensurate to the evil which would be done by taking them from their occupations. Before the Session was closed, he hoped to be able to lay before the House some information regarding those fishing stations. He was not able to say whether, before the Session closed, there would be that complete information — information so complete as to enable the House to judge of the degree of success that had attended it; but if he could afford more complete information, he should feel great pleasure in laying it before the House. However, at the present time, it would, he conceived, be premature to give information respecting those curing stations when they were scarcely established, and when the officers had scarcely brought them into operation. He entirely agreed as to the importance of the question brought forward by the hon. Member; and he was anxious to contribute in every way, by legitimate means, to stimulate and encourage the fisheries of Ireland. With these observations he would conclude, by stating to the hon. Gentleman that if he (Mr. Labouchere) declined to accede to the proposition to grant a Committee, it was because abundant information on the subject was already on the Table of the House; because, also, he did not think any practical advantage would result from the inquiry; and he did not wish at the present time to take away those persons to whom he had already referred, from their duties in Ireland for the purpose of giving evidence before the Committee.

LORD G. BENTINCK: Sir, I really must say I think the right hon. Gentleman who has just sat down has given the weakest reasons I ever heard for refusing a Committee to inquire into the state of the fisheries of Ireland, with a view to their encouragement. The right hon. Gentleman says, he thinks there are already before the House the most abundant and complete materials for coming to a just conclusion on this subject; yet I apprehend there is not any information that was not in its possession prior to last Session; and, if I remember right, in the report of the Commissioners of Public Works in Ireland, we are informed by Sir Randolph Routh that the Act of Parliament passed last Session for the improvement of the fisheries was so cumbersome in its provisions, and so impracticable in its operation, that the intentions of Parliament were likely to be defeated. Now, this proves that up to the conclusion of last Session the House had not such materials before it as could enable it to arrive at a just conclusion. But if one reason more than another could be adduced why we should have an inquiry by a Committee and a report, it is this — that the right hon. Gentleman himself has stated that it is only necessary to supply a market for the produce of the Irish fisheries to induce the fishermen to undertake the catching of the fish. Thus it is proved, on the authority of the right hon. Gentleman, that that which has passed as a just charge against the Irish nation is a calumny, and that the Irish fishermen are not an idle, indolent, and unenterprising class who cannot be tempted by any inducement to go upon the deep seas and catch the fish which are to be found in those inexhaustible mines of wealth that abound upon the coast of Ireland. I think, therefore, that if this proposed inquiry he productive of nothing else, enough will be gained to justify it if by it the prejudices of the English nation, which have been so studiously roused against the Irish people during the last six months, be removed. I think that such an inquiry will also prove the facts stated by the right hon. Gentleman, and also the statements so ably made on a former night by the hon. Member for Barnstaple (Mr. M. Gore), who told us that a loan

of 100*l.* had induced the fishermen of Claddagh to man sixty-four boats, by the aid of which they had brought home fish to the value of 100*l.* If such things are proved before a Committee, I think there will be abundant grounds established for encouraging the fisheries of Ireland. But when the right hon. Gentleman tells us that the establishment of six small curing stations has effected so much good; and when he tells us that the deep-sea fisheries of Ireland can supply an inexhaustible amount of food and of wealth, I apprehend it would be well for us to inquire whether an increased number of cheap curing stations would not tend to the promotion of both. I rejoiced to hear the right hon. Gentleman express his horror at the employment of a large staff of officials; and I am glad that no large staff has been appointed in connexion with the Irish fisheries; but I think, when we have still a staff which costs the country 18,000*l.* a-week for the public works in Ireland, it is a sufficient reason for inquiry. Another reason for inquiry is, that the right hon. Gentleman, when it is rather too late in the day, tells us that all that is required for the encouragement of those fisheries is the construction of railways in Ireland. I really wish the Chief Secretary for Ireland, three months ago, when he opposed the construction of those railways, had told us what possible advantage it would be to have a railway across the county of Galway. Nevertheless, all the acts of the Government have been to prevent the county of Galway having the benefits of such a railway to carry the fish to a profitable market. I confess I have never heard so many reasons for a Committee; and the only reason which I have heard against it is, that the right hon. Gentleman fears that it would call away from the large staff of officers in Ireland a portion who are better employed. [Mr. LABOUCHERE: The small staff employed in the fisheries.] Well, if the right hon. Gentleman will spare some of the 11,587 gentlemen and others employed in the supervision of the public works in Ireland, there will be quite sufficient to attend to the fisheries, though I do not know why it should be necessary to call them away from Ireland at all. The question for the Committee is to inquire how the fisheries can be encouraged; and I think by calling some of the most experienced fishermen from Devonshire and Cornwall, we could gain information enough to direct us in our inquiry into the Irish fisheries, and I think ten days would suffice for such inquiry. If the right hon. Gentleman refuses the Committee, and the hon. Member presses his Motion to a division, I will cordially support him.

MR. HUME thought, when they looked to the state of the supply of food in this country, that it was lamentable to see how much the important matter of the fisheries had been neglected in Ireland. The people were most anxious for the erection of piers and landing places; and, above all, on the exposed parts of the western ocean. He had hoped, after what had taken place, that the Government would have brought forward some Bill for promoting that great object—the erection of safe fishing harbours. He did not know that it was necessary to have a Committee; but it was most important to Ireland and this country that the fisheries should be promoted. It was not by employing the secretary of a commission that they could do this; but by sending down some officer of practical knowledge and experience, with a naval officer, to investigate and superintend the matter. He agreed with the right hon. Gentleman that it would not do for the Government to become traders in fish or any other article; but still, by a very simple proceeding, much might be done to encourage the fisheries. If some of the country gentlemen on the coast of Ireland would set a number of boats on the fisheries, their example would soon be followed.

MR. MONTAGUE GORE said, that he had been requested to read a statement to the House respecting the fisheries in the neighbourhood of Waterford. The writer of this paper assured him that a most valuable bank of fish immediately off the coast of that place had never been properly fished; and it was not until 1844 that anything had been done with respect to it. On that occasion one boat made a profit of 595*l.*, one half of which was shared among the crew, consisting of six men and two boys. If such cases were made known by means of a Committee, much would be done for the encouragement of those fisheries. With respect to the fisheries in England, speaking of railways to Hull, this gentleman (his correspondent) said that before those railways were made, only four fishing vessels used to go from Hull; and the great improvement which had since taken

place was entirely attributable to the railways.

MR. WATSON said, that the great object was to give to the Irish fishermen the advantage of internal communication through the country. He represented a town (Kinsale), an admirable fishing station, which was fast going to decay from the want of internal communication, which would give the fishermen a good market. The fishermen of that town took 30,000*l.* worth of fish in the year at present, yet they were miserably poor; and if they had the opportunity of sending their fish to markets throughout the country, that 30,000*l.* might be increased to 400,000*l.* or 500,000*l.* per annum. If the Motion of the noble Lord (Lord G. Bentinck) regarding railways in Ireland had been brought forward with the definite object of giving facility to the fisheries, there would have been few found in the House to object to it. He himself had for one voted against that measure as a general one; but had it been connected with a definite object, there would not have been five Members in the House who would have opposed it. He would vote for the Motion if it went to a division; but still he much feared that it was too late in the Session to expect much good to be done by a Committee.

MR. F. FRENCH had opposed the Bill which had been brought in by the noble Lord the Member for Lynn, because he felt satisfied that had that measure passed, not a penny of the 16,000,000*l.* would have gone to the relief of the poor in the counties of Galway or Roscommon.

MR. HUDSON rose in consequence of the observation of the hon. Member for Roscommon, that had his noble Friend's (Lord G. Bentinck's) Bill passed, none of the 16,000,000*l.* would have gone in aid of the Dublin and Galway Railway, or to the relief of the poor in Galway or Roscommon. If the hon. Gentleman would have only taken the trouble to read the preamble and the first clause of that Bill, he would have found that it included any future railway to be projected in Ireland, as well as those already in progress. The Bill was indiscriminate in its provisions for the giving of aid to every Irish railway which should be shown to be in compliance with the rules laid down. It provided that there should be a careful investigation of the public merits of each line by the Railway Commissioners. It was fenced about most carefully to prevent assistance from being improperly afforded under it; but all undertakings which should be able to pass the examination required, would have been entitled to aid. With regard to what had been said respecting the advantages derived both to fishing stations and railway companies by the establishment of railway communication, he would beg to state one fact, that on the small line, the York and North Midland, the carriage of fish had brought the company an income of 300,000*l.* in one year. He thought that investigations such as the one proposed, were always productive of benefit. He should, therefore, vote for the appointment of the Committee, which should lead to some useful result, and he thought it would be wise in the Government to accede to the proposition.

SIR H. W. BARRON was happy to see that the House was almost unanimous in its approval of the objects which he had in view by his Motion. All hon. Members had concurred in acknowledging that the Irish fisheries had been neglected by every Government, and every one who ought to have given their assistance. But seeing that the right hon. Gentleman the Secretary for Ireland was about to take a bold and decided step, a more important one than even he had suggested, and feeling that the right hon. Gentleman was bound to him and to the Irish fisheries to adopt fully the principles which he (Sir H. W. Barron) had laid down regarding them, he felt that he would be doing an injury to the cause he advocated if he were to press his Motion for a Committee. ["Oh, oh!"] He begged to know if hon. Gentleman could controvert anything he had said? Did they not see that the Government was bound to carry out the very principles he had laid down? Surely no man could assert that they had not been acknowledged. [An Hon. MEMBER: No one denies those principles.] No one did, of course. He should be glad to hear any one deny them; because he felt that their arguments could be instantly demolished. He felt, then, that he should do the best for the Irish fisheries, and the Irish fishermen, by leaving the question in the hands of the Government. He should, therefore, withdraw his Motion. ["No, no!"] He begged leave to withdraw the Motion.

MR. SPEAKER asked if it was the wish of the House to refuse permission to the hon. Member for Waterford to withdraw his Motion. ["Yes, yes!" "No, no!" *and great laughter.*]

MR. SPEAKER: Did hon. Members press for a division? ["Yes, yes!"]

[The galleries were cleared, and the debate was continued with closed doors. On their being opened]

Mr. AGLIONBY was addressing the House, and deprecating the pressing of a division against the will of the mover of the Motion. Hon. Members opposite seemed to treat the affair too much as a jest. Two hours previously there had been only one and twenty Members in the House, and he trusted they would not go to a division with the large number then in it who could not have heard one half of the debate. He put it to hon. Members, whether it would not be better to let the Motion be withdrawn. But with regard to the latter portion of the hon. Baronet's speech, in reply, he should say, that he (Mr. Aglionby) did not understand the right hon. Gentleman to have pledged himself to do everything that the hon. Baronet required.

Mr. DISRAELI was much surprised that the hon. Member for Cockermouth should have alleged that a Motion respecting the interests of Ireland had been treated in a jocose manner by hon. Members on that (the Opposition) side of the House. Before the hon. Member made such an allegation he should certainly have made himself a little better acquainted with the circumstances of the case. The noble Lord the Member for Lynn, and other hon. Members, had attended the House that evening with reference to an important subject of a very different character; but the hon. Baronet the Member for Waterford having this Motion on the Paper—a Motion which he would have been very glad not to have seen on the Paper, for he did not like to see other subjects of much more importance arrested by it — the hon. Baronet told the noble Lord of this Motion, and, knowing the peculiar interest the noble Lord took in such questions, asked him, as a personal favour, to support it. The noble Lord having attended, at some personal inconvenience to himself, in reference to another question which the hon. Baronet's Motion prevented from being brought forward, acceded to the request, and supported the proposition with his characteristic sincerity and frankness. Had it not been for him there would not have been a House kept. ["No, no!"] No! Did the Government keep a House? Did the Government think it an important measure, and could they not command the presence of twenty-one Members? There might have been at least discipline enough to secure the presence of their subordinates and subalterns. It was strange that on questions of the greatest importance and interest the present existing Government of this country could not secure a House. And now hon. Gentlemen were told that they insulted Ireland, and received a Motion in favour of Ireland in a jocose spirit. It was really intolerable, after the great inconvenience which the noble Lord the Member for Lynn had put himself to in order to hear a discussion on Irish fisheries, that the hon. Member for Cockermouth, in his felicitous position of *amicus curiæ*, should say the question had been received in a jocose, if not in an insulting spirit. The hon. Baronet the Member for Waterford having made a decided speech—having told the House and the country that he required so much, and would not take less than he required, and Her Majesty's Government not having offered any terms whatever to the hon. Gentleman—he did not see how, with any decency, the hon. Gentleman could ask leave to withdraw his Motion.

Mr. AGLIONBY begged to explain. It would be far from him to cast any such imputation upon hon. Gentlemen opposite as that they had treated a question relating to Ireland in a jesting or insulting spirit. What he had said was, that they treated the attempted withdrawal of the Motion by the hon. Baronet jocosely.

Colonel RAWDON thought that the hon. Member for Shrewsbury had treated the hon. Member for Cockermouth unfairly in the construction he had put upon his words. He (Colonel Rawdon) certainly did think that the question of withdrawal had been treated rather jocosely; but as regarded the question of division, and of keeping a House, there were so few Members present when the hon. Member for Waterford began to speak, that he (Colonel Rawdon) had put down their names. He would not deny that there might not have been two or three more; but he had only twenty-three hon. Members down on that list. As to the private communication between the hon. Baronet and the noble Lord the Member for Lynn, it was nothing to the House; and if the matter went to a division, he trusted his vote would not be misconstrued; but whether it might be or not, he would vote with Her Majesty's Ministers and the hon. Member for Waterford, upon whom it would be very hard to cast the onus of compelling him to vote against his own Motion.

Mr. TRELAWNY said, that if the

question were to be sent to a division, he should move that the words "and Cornwall" should be inserted after the word "Ireland."

MR. HUME said, he would second the Motion; but he would much rather see the South Sea Whale Fishery and the North Sea Fishery added, than the Amendment of the hon. Gentleman.

The CHANCELLOR OF THE EXCHEQUER thought that, after the debate of the last ten minutes, his noble Friend opposite would admit that it was better not to press the question to a division. If but twenty-three Members were present, as stated by his hon. Friend, at the early part of the discussion, it was clear that the very great importance was not attached to the Motion which was now contended for; and he really did not think that the argument of the hon. Member for Shrewsbury for pressing for a division—namely, that the hon. Gentleman who brought forward the subject had asked the noble Lord the Member for Lynn to support it—was in itself sufficient to induce them to divide. Surely their proceedings in that House ought to be influenced by far higher motives than any of that kind. It was not true that no encouragement had been given to the fisheries of Ireland. He had himself moved a vote of 40,000*l.* for the promotion of Irish fisheries only a few days since; and during the past year the Government had constructed curing houses for fish in various parts of the coast of Ireland. If they were, however, now to enter into a discussion on the question of the fisheries of the United Kingdom generally, it must evidently prove to be a mere waste of the time of the House. It must be evident to all that any attempt at an inquiry at the present moment would be only defeating the object which those who advocated the Motion had in view. He hoped, therefore, that under these circumstances, and considering that the hon. Member was willing to withdraw his Motion, no further effort would be made to press it to a division.

MR. DISRAELI did not think the right hon. Gentleman had much reason to lament his absence during the debate; nor was he (Mr. Disraeli) certain that by being absent he should have lost much himself. It was his misfortune to be present, and to hear every speech that had been made; but if he had to express regret for having heard the proëmium, he was to be consoled for the loss of the evening by the expectation that the catastrophe was to be omitted. He had not stated that the noble Lord the Member for Lynn recommended the House to divide on this question, because he had attended the House for the purpose of discussing another subject, and had been disappointed. What he (Mr. Disraeli) did say to the House, and what he would now repeat, was, that his noble Friend was present because the hon. Baronet had communicated to him that the subject to be brought forward was one of great interest, and that, therefore, he had applied to the noble Lord for his support. It was not fair, therefore, to say that his noble Friend and those who sat around him had received the subject in a jocose spirit. They came prepared to receive it in a very earnest one. But there was a more serious moral to be drawn from those proceedings which the right hon. Gentleman the Chancellor of the Exchequer seemed to deprecate. When a question looked to with great interest by the nation generally was set aside that hon. Gentlemen opposite might make speeches in order to secure a flashy demonstration, he thought it was high time to ask whether those Irish Members who wished to make sham Motions, might not go to the Treasury and ask as much as they desired, and accept as little as they pleased? That was a question which he wished the people out of the House to understand. He had always voted with a view to the development of the industry of Ireland. He wished, and the Chancellor of the Exchequer knew he spoke sincerely on the subject, that the public business should be advanced. But when he found those *ad captandum* Motions brought forward, he merely asked that a debate should at least be a real debate, and that it should lead to a real result. That was the sentiment that influenced him. He did not seek to inconvenience a Government which might call for opposition. He admitted that they (the hon. Member and his Friends) were not free from that weakness; but the present Government was one which they were not particularly anxious to inconvenience. They had lost an opportunity of entertaining an important question, and then they had been told, with a coolness which he thought was most unexampled, that they had treated an Irish question in a jocose spirit. Notwithstanding the explanations afforded, no one could deny that those words were used; and if they were not addressed to them, he was totally at a loss to know to

whom they were addressed, except it were the Speaker. If there were an Irish Member in the House who believed that the development of the fisheries of Ireland was of vast importance to that country, which they (on the Opposition side) really believed, he thought that Member was scarcely justified in bringing forward the subject and occupying the time of the House, whilst there were other matters of great public importance before it, unless he meant to press his Motion to a division. It might be said that the Government had very probably no more than twenty Members on either side of the House on that occasion; but was that the fault of the hon. Gentlemen who occupied the Opposition side of the House? Were they responsible for the ridiculous position in which certain persons might place themselves? He (Mr. Disraeli) thought that the best thing which the Government could do would be to grant a Committee. He was told that a dissolution of Parliament was intended; and if they wanted to expedite public business, they might depend upon it the best thing they could do was not to provoke discussions, but to let every man have a Committee upon every imaginable subject. Let them grant them everything they desired, and they might depend upon it that they would go to the country with a much more popular claim to public confidence, for the people of England would feel that they were men with a certain knowledge of human nature—that they could and would deal with troublesome and wearisome people. The people of England would then say to themselves, "These men will make good business men for us in Parliament—they will grant measures, because every man has a project in his head as to the necessity of having a Committee upon his peculiar scheme, and we shall at last have a House of Commons who can carry on the business of the nation."

Mr. LABOUCHERE, after the observations which had fallen in the course of this debate, and especially from the hon. Gentleman who had just sat down, felt it necessary to say a few words. He readily acknowledged that the hon. Gentlemen opposite, of whom the hon. Member for Shrewsbury was so distinguished an ornament, had offered a very fair and candid opposition to the course recommended by the Government on different occasions during the present Session, whilst they had handsomely supported the Government on various occasions in a very disinterested manner; and he had no reason whatever to speak of that party in any other tone than that of courtesy. But he could not help saying that he thought the hon. Member for Shrewsbury and his Friends about him, had on this occasion showed themselves over-anxious to avail themselves of the opportunity which the empty state of the Ministerial benches afforded them of annoying the Government, although he admitted that in so doing they were but following the example set by every Opposition whose conduct he had witnessed in that House. They appeared somewhat disappointed at the hon. Baronet the Member for Waterford consenting to withdraw his Motion, in accordance with the wish of the Government, because they had anticipated placing the Government in a minority on this occasion. Now, he believed that his hon. Friend the Member for Waterford came down with this single object in view, viz., the promotion and advancement of Irish fisheries; and with that view he moved for the appointment of a Committee; and after he had made his statement, the Government expressed their intentions on the subject. With that expression the hon. Baronet stated that he was satisfied, and that after what had fallen from the Government he believed that his object would not be furthered by the appointment of a Committee; that it was, in fact, better to leave the whole of the matter in the hands of the Government. The hon. Baronet had clearly no party object in view in coming down to the House to make this Motion; and he (Mr. Labouchere) must say that he thought it was a most unusual course for the House, after an hon. Member had expressed himself satisfied with the explanation of the Government and his willingness to withdraw his Motion, to insist on pressing the question to a division. He considered that the hon. Baronet had not deserved the language which hon. Gentlemen opposite had chosen to adopt towards him on this occasion. He hoped that the hon. Baronet would not accede to the proposition which had been made to him to insist upon a division on his Motion. He (Mr. Labouchere) had in a very thin House stated the reasons which induced him to object to this Motion. He had stated, in the first place, that he believed the fullest information upon all questions relating to Irish fisheries was already upon the Table of the House. He stated also, that he had been assured by the Gentleman who presided over the Irish Fisheries Commission, Mr. Mulvany, that it would

cause the greatest inconvenience at this moment to the officers appointed to those fisheries if they were compelled to absent themselves from that business for the purpose of giving evidence before a Committee of the House of Commons; that it would throw that department into great confusion; and Mr. Mulvany, therefore, requested him to do all in his power to dissuade the hon. Baronet the Member for Waterford from persisting in his Motion. He acknowledged, with the hon. Member for Shrewsbury, that nothing was easier than to grant Committees. That hon. Gentleman had told them that that would be a popular as well as an easy course. He (Mr. Labouchere) knew that it was so; but after he had been told by those who were best informed on the subject, that the granting of this Committee would lead to public inconvenience, he felt it to be his duty to request his hon. Friend not to persist in his Motion for a Committee. The hon. Member for Shrewsbury himself, by the tone which he had adopted with reference to the granting of a Committee, had clearly admitted that but little good could be gained by the passing of this Motion.

LORD G. BENTINCK: Sir, my right Friend the Chancellor of the Exchequer has insinuated that my hon. Friends on this side of the House were not here during the greater portion of this debate; but he may not be aware that out of the twenty-three Members that the hon. and gallant Gentleman the Member for Armagh says he took down as being present when the debate commenced, an hon. Friend of mine, the Member for East Sussex, was the seconder of the Motion—and that my right hon. Friend the Member for Sunderland, and my hon. Friend the Member for Shrewsbury, and my hon. Friend the Member for Barnstaple, as well as myself, were present—so that, at all events, of those who actually supported the Motion by their presence, there were five English Members on this side of the House—who remained here, as I remained, at the request of the hon. Baronet the Member for Waterford, who expressed to me a wish that, as I was especially looked upon as the friend of Ireland, I would stay and say a word in favour of this Motion. Now, I think that if the hon. and gallant Gentleman the Member for Armagh gave us a list of these twenty-three names—[An Hon. MEMBER: There were twenty-six]—I believe that we should not find one single Cabinet Minister. [Sir G. GREY: I have been here during the whole of the debate.] As to the charge brought against us of meeting the Motion or proposition in a jocose manner, we did think there was something jocose in the hon. Baronet the mover of this Committee getting up and stating that his ground for withdrawing his Motion was that he assumed that the Ministers were prepared to grant him all the things that he asked for, He states that he will persist in withdrawing the Motion, though no affirmative answer could be drawn from them, or has been drawn either from the right hon. Gentleman the Secretary of State for the Home Department, from the Chief Secretary for Ireland, or from the Chancellor of the Exchequer, as to whether or not they would grant what the hon. Member asked for. Therefore I think we are justified in saying that the grounds on which this Motion is withdrawn, are not those which are stated. We have had no promise whatever that anything—that any attempt—that any single effort more—is to be made with regard to the Irish fisheries, than that which was known to have been made before the Motion was brought forward. And therefore it will be understood by those in Ireland interested in fisheries, that nothing whatever has been obtained by this sham attempt to obtain a Committee of Inquiry into the various modes in which the fisheries of Ireland may be advanced; and if, contrary to the usual custom of this House, we persist in going to a division, and refuse to the hon. Gentleman the Member for Waterford leave to withdraw his Motion, do not let it be understood by the Irish nation that it is from any want of desire or good will, on our part, to support her interests, and to take every method in our power to develop her resources. The responsibility rests upon those Gentlemen who bring forward these Motions, asking for assistance to Ireland, and then abandon them, that all the good wishes which we entertain towards Ireland are not fulfilled.

SIR H. W. BARRON, after the somewhat personal tone which had been addressed towards him, particularly by the hon. Member for Shrewsbury, might be expected to make some explanation. In the first place, he begged leave to inform that hon. Gentleman that he had not come down to the House for the purpose of making a sham Motion—that, on the contrary, he had made his Motion with the most sincere intention to see it adopted

and carried out in such a manner as might prove most conducive to the object which he had in view, viz., the good of his country. The hon. Gentleman the Member for Shrewsbury had expatiated at some length upon the time which this discussion had wasted, whilst there were other matters of infinitely greater importance yet remaining to be discussed; but the hon. Gentleman had himself contributed, in an eminent degree, to that waste, for he had addressed the House no less than three times on this question. In spite of what the hon. Gentleman had said, it was his intention to fall in with the views of the Government by withdrawing his Motion.

MR. BANKES did not rise to object to the course the hon. Baronet wished to pursue; but his last remark gave a new complexion to the matter, and rendered it difficult to allow the Motion to be withdrawn. By whom had this been made a party question? He, for one, was suprised at being accused of having made this a party question in the present state of Ireland; but he objected to these Motions brought forward by the friends of the Government without any intention of pressing them. The very next Motion related to waste lands in Ireland. Was this to be a sham Motion also? These Motions were interposed by the friends of the Government; and if those who supported them were to be accused of making them party questions, it would be the way, not of making Ireland a laughing-stock, but of insulting her, and of showing that her interests were neglected by those who must appear to the public as false friends.

MR. POULETT SCROPE assured the hon. and learned Gentleman that he had entertained no intention of putting off his Motion relative to waste lands, if he could have obtained the attention of the House to the discussion; but, at eleven o'clock at night, it was not likely he could obtain that attention, and he must put off his Motion on account of the hour of the night, and not because it was a sham Motion.

MR. HUDSON complained of the imputations which had been cast by the hon. Baronet upon Gentlemen on that (the Opposition) side of the House, who were quite as honourable as the hon. Baronet himself. For his own part, he thought the inquiry was a very proper one to be instituted, and that the hon. Baronet had acted unwisely in asking for its withdrawal. The reasons given by the right hon. Gentleman the Secretary for Ireland for not calling before the Committee the men proposed to be examined, appeared to him to be perfectly idle.

The House divided:—Ayes 22; Noes 73: Majority 51.

List of the AYES.

Arkwright, G.	Gore, M.
Bailey, J. Jun.	Halford, Sir H.
Bankes, G.	Hudson, G.
Bentinck, Lord G.	Knightley, Sir C.
Beresford, Maj.	Manners, Lord C. S.
Borthwick, P.	Manners, Lord J.
Brisco, M.	Packe, C. W.
Disraeli, B.	Pechell, Capt.
Farnham, E. B.	Stuart, J.
Finch, G.	
Floyer, J.	TELLERS.
Forbes, W.	Barron, Sir H. W.
Frewen, C. H.	Blackstone, W. S.

List of the NOES.

Aglionby, H. A.	Hughes, W. B.
Aldam, W.	Hume, J.
Armstrong, Sir A.	Jervis, Sir J.
Baine, W.	Labouchere, rt. hon. H.
Barkly, H.	Leader, J. T.
Baring, rt. hon. F. T.	Mackenzie, W. F.
Bellew, R. M.	M'Carthy, A.
Berkeley, hon. C.	Maitland, T.
Bowring, Dr.	Masterman, J.
Brotherton, J.	Metcalfe, H.
Browne, R. D.	Monahan, J. H.
Browne, hon. W.	Morris, D.
Buller, E.	Newry, Visct.
Butler, P. S.	Norreys, Sir D. J.
Cayley, E. S.	O'Conor Don
Clayton, R. R.	Parker, J.
Colebrooke, Sir T. E.	Perfect, R.
Courtenay, Lord	Philips, M.
Dennistoun, J.	Rawdon, Col.
Duncan, G.	Rice, E. R.
Duncombe, T.	Romilly, J.
Ellis, W.	Scrope, G. P.
Escott, B.	Somerville, Sir W. M.
Ferguson, Sir R. A.	Spooner, R.
Fox, C. R.	Strutt, rt. hon. E.
French, F.	Thornely, T.
Gibson, rt. hon. T. M.	Trelawny, J. S.
Gisborne, T.	Vyvyan, Sir R. R.
Granger, T. C.	Wakley, T.
Grey, rt. hon, Sir G.	Ward, H. G.
Hamilton, Lord C.	Watson, W. H.
Harcourt, G. G.	Wodehouse, E.
Hawes, B.	Wood, rt. hon. Sir C.
Heathcoat, J.	Wood, Col. T.
Hobhouse, rt. hon. Sir J.	Wyse, T.
Hope, Sir J.	TELLERS.
Hope, G. W.	Hill, Lord M.
Howard, Sir R.	Tufnell, H.

BRITISH WEST INDIA POSSESSIONS.

MR. HUME wished to call the attention of the House to the petition from Jamaica, signed by 4,000 persons, praying for free trade for that colony, and for an additional supply of labour, as requisite for the prosperity of that island. Since the petition had been presented some parts of the

prayer had been granted, and he hoped that the Government would soon comply with the rest. The great object which the petitioners sought was, that the colonies should be supplied with abundance of labour; and he conceived that there was no more effectual mode of putting an end to the slave trade than by removing those temptations which induced men to carry on that traffic. The slave trade was like smuggling. Let the temptation to introduce contraband goods be once taken away, and the necessity for maintaining a preventive service would altogether cease. To restrain smuggling upon the coasts of England we kept a force of sixty or seventy cruisers, and we incurred an expense of 800,000*l.* a year; yet tons of tobacco were unlawfully imported. The only way to put down smuggling was to reduce import duties; the only mode of abolishing the slave trade would be to supply our colonies with abundance of free labour. It cost the country 1,000,000*l.* sterling per annum to repress the slave trade, and after all the object was not accomplished. From a return laid before Parliament, it appeared that the number of ships of war of all classes employed for the suppression of the slave trade was fifty-six, mounting 886 guns, and manned by 9,289 men. In that force the mortality and casualties were well known to be great. It was stated, and he believed that the statement rested upon very just grounds, that the colonists could not much longer continue the cultivation of sugar if restriction were continued upon their obtaining labour from Africa and elsewhere, as, while labour from its scarcity was becoming dear in the colonies, the slave population of the countries with which those colonies were called on to compete was daily increasing by means of the slave trade. The views of this important subject which he was thus endeavouring to press upon the House were entertained, not only by the colonists, but he was enabled to state that the Anti-Slavery Society had addressed a letter to the noble Lord at the head of the Government, entreating the adoption of new measures. If the million now expended in attempting to repress the slave trade could be saved, the advantage was too obvious to be overlooked; he sincerely hoped that the Government and the country would see the necessity of losing no more time, and that they would at once agree in adopting the only measures calculated to put down the slave trade. The redemption of slaves was a practice which had received the sanction of the most eminent philanthropists, and he thought there could be no possible objection to allowing colonists to proceed to the coasts of Africa, there to procure slaves, and the moment they reached the shores of a British colony, set them free, and employ them as free labourers. The petitioners prayed, and he hoped the House would favourably consider their prayer, that all restrictions upon the transit and use of British produce should be removed, and that all restrictions upon the free introduction of labour should also be removed. The grievance which formed the subject of this complaint was a great grievance, and one in the removal of which the mother country and the colonies were deeply interested. All the colonies joined in praying for its removal. The hon. Gentleman concluded by moving—

"That it is the opinion of this House, that all restrictions in the use and transit of the produce of the British West India Possessions should be removed, and all impediments to the free introduction of labourers into those Possessions, should also be discontinued."

Mr. BARKLY believed every one in the colonies was agreed on the question of free trade, that if it were applied in the relations between the mother country and the colonies, it ought to be fairly applied, and all the productions of the colonies ought to be freely received. That, hitherto, had not been the case, as evidenced more especially in the articles of rum and molasses. He was also of opinion that the second prayer of the petition—relative to the employment of free labour in the colonies—should be complied with. Long as this question had been talked of, he was surprised that it had not before this been carried into effect. Before he sat down, he wished to inquire of the Under Secretary for the Colonies, what had become of the vessel, the *Growler*, which it was proposed should be employed in conveying labourers to the West Indies?

Mr. HAWES said, that the petition in question had been agreed to in Jamaica before the measure introduced by Her Majesty's Government for the relief of the colonies had arrived there, and consequently much of its prayer had been already accomplished. With regard to the encouragement of emigration, there was no power which the Government possessed which had not been exerted for that purpose; and, in fact, a large importation of labour had taken place. The subject was one of great difficulty and expense,

and therefore what had been done must be treated as an experiment only; but a large supply of labour had been given by the measures of Lord Stanley when at the head of the Colonial Office; and altogether from the time of the abolition of slavery there had been imported into Jamaica 8,000 labourers, into British Guiana 33,000, and into Trinidad 17,000 odd; the total number imported being upwards of 60,000 labourers. With regard to the vessels between the Kroo coast and that of Africa, alluded to by the hon. Member opposite, some delay had occurred; but he had the satisfaction of informing him that a vessel would soon be ready to proceed to that destination. He was not sanguine in expecting much good from that expedition, nor did he believe that by the importation of labour at all they could do anything but improve the condition of the colonies by lowering the rate of wages there. He did not entertain the least idea that any amount of labour which could possibly be procured, would in the least degree lead to a termination of the slave trade. With regard to sugar, the petition prayed that it might be admitted into distilleries and breweries—a prayer which had been already granted under some restrictions, rendered necessary by the state of the revenue; and with regard to duties, though they might be higher than was pleasing to the hon. Member, it could not be denied that considerable benefit to the producers of sugar and molasses in the colonies, must result from the measures which had been adopted. He would give no opinion at all upon the question of the Navigation Laws, because that subject was before a Committee of that House at the present time. He perhaps felt disposed to agree with the hon. Member opposite, that the principles of free trade had not been sufficiently carried out; but powers had been given last Session to the colonies to act upon those principles; and whilst they had continued to the grower of sugar in the colonies a certain amount of protection, it had been considerably reduced, and other restrictions upon the trade had been removed. The prayer of the petitioners, therefore, upon all its points had already been anticipated to a very great extent; and he was happy to say that, judging by the recent accounts, the general trade of our colonies was materially extending and improving, and that great amelioration was taking place in their social and domestic condition. He was therefore not without hope that the severe struggles of our colonies, through a fierce competition, would, by the increased application of science and the improvement of agriculture, which it must occasion, result in the advantage of the colonies themselves. He hoped, therefore, that his hon. Friend would not press his Motion.

Mr. HUME said, that he would not divide the House upon his Motion; but he considered that he had received no satisfactory answer as to the redemption and importation of African slaves.

Sir T. D. ACLAND said, that the difficulty of the exportation of slaves on the coast of Africa was so great, that he had been credibly informed that a legitimate trade was superseding the unlawful traffic in slaves.

Motion negatived.

SEDUCTION AND PROSTITUTION.

Mr. SPOONER moved for leave to introduce a Bill for the more effectual suppression of trading in Seduction and Prostitution, and for the better protection of females. In compliance with the suggestions of the right hon. Gentleman (Sir G. Grey), his present measure was principally directed towards two objects. In the first place, any person trading in seduction would be liable to be indicted, and might be subjected to imprisonment. He proposed, in the next place, that if any brothel keeper should be convicted of keeping a brothel, it should be within the discretion of the court to make void any term he might have in the house. No one could reasonably object to such provisions; and he would now simply move for leave to bring in a Bill.

Mr. HUME objected to the Motion. Too much of the time of the House had already been taken up with that subject during the Session. He believed that in mooting the subject, the hon. Member had done much injury by directing the attention of people towards it, when many might otherwise never have heard of it. The hon. Gentleman had much to answer for in this respect, for every discussion on this subject was injurious. He was sorry that the Government should allow this Bill to be brought in—a Bill in which the term "trading" in seduction had not been defined by the hon. Member; he did not know how to define it; and, he would add, that the Bill tended to excite discussion after discussion, and increased the evil which it proposed to suppress. He regretted that

an hon. Member, like the hon. Member for Birmingham, should bring before the House his experience in such matters. [*Laughter.*] Yes! the hon. Member could not have grown grey without being acquainted with those matters; and although the hon. Member's experience might induce him to come forward in such a cause, he could not agree in the opinion that such discussions were not injurious. Let his hon. Friend, if he wished to put an end to vice, set the example himself—let him form a league for the promotion of virtue and its reward; and let him, by his own example, do that which would not be effected by legislation. He would oppose the Motion; and it was his intention to take the sense of the House upon it.

SIR G. GREY had yesterday explained the grounds upon which he objected to the Bill previously introduced by the hon. Member for Birmingham with reference to this subject, and the hon. Gentleman acquiesced in the justice of his objections. He had stated, however, that he was prepared to agree to a Bill limited to one object, which, he believed, this Bill was intended to effect. He did not think that there would be any difficulty in accomplishing that object; the existing law was, as he had before stated, defective in some points; and he hoped, therefore, that the hon. Member for Montrose would not persevere in his opposition.

MR. HUME was not present when the discussion on this subject took place yesterday; but he could be no party to the concern, and he felt it his duty to divide the House.

The House divided:—Ayes 57; Noes 11: Majority 46.

List of the AYES.

Acland, Sir T. D.	Grey, rt. hon. Sir G.
Aglionby, H. A.	Halford, Sir H.
Armstrong, Sir A.	Hawes, B.
Bailey, J. Jun.	Heathcoat, J.
Bankes, G.	Hill, Lord M.
Baring, rt. hon. F. T.	Hobhouse rt. hon. Sir J.
Bennet, P.	Hudson, G.
Bentink, Lord G.	Hughes, W. B.
Beresford, Maj.	Jolliffe, Sir W. G. H.
Brotherton, J.	Mackenzie, W. F.
Clayton, R. R.	M'Carthy, A.
Cowper, hon. W. F.	Maitland, T.
Dodd, G.	Masterman, J.
Ellis, W.	Maule, rt. hon. F.
Farnham, E. B.	Mildmay, H. St. J.
Finch, G.	Monahan, J. H.
Forbes, W.	Morpeth, Visct.
Frewen, C. H.	Morris, D.
Gibson, rt. hon. T. M.	Newry, Visct.
Gisborne, T.	Packe, C. W.
Greene, T.	Parker, J.
Perfect, R.	Tufnell, H.
Rashleigh, W.	Vyvyan, Sir R. R.
Romilly, J.	Wakley, T.
Rutherfurd, rt. hon. A.	Ward, H. G.
Scrope, G. P.	Wodehouse, E.
Somerville, Sir W. M.	Wood, rt. hon. Sir C.
Stanton, W. H.	TELLERS.
Tancred, H. W.	Spooner, R.
Thornely, T.	Borthwick, P.

List of the NOES.

Bowring, Dr.	Talbot, C. R. M.
Duncombe, T.	Trelawny, J. S.
Escott, B.	Waddington, H. S.
Leader, J. T.	Wood, Col. T.
Napier, Sir C.	TELLERS.
Pechell, Capt.	Hume, J.
Sibthorp, Col.	Berkeley, hon. C.

Leave given.

REGISTRATION OF MEDICAL PRACTITIONERS.

MR. WAKLEY rose to move—

"That a Select Committee be appointed to inquire into the Registration of legally qualified Practitioners in Medicine and Surgery; and into the Laws and Charters relating to the practice of Medicine and Surgery in Great Britain and Ireland; and to report the Evidence, with their opinion thereon, to the House."

At that late hour he would not detain the House by entering into the subject beyond stating that the qualified members of the profession were desirous that a law should be passed which might enable them to be distinguished from quacks and imposters. There were at present so many laws in existence with reference to the profession, and so many powers were exercised by the various colleges, that it was most desirable that a law should be enacted for the purpose of registering duly qualified medical practitioners; but the subject was involved in so many difficulties, that it had not been found possible to lay down any rule or plan which should govern the House with reference to any enactment. It had, however, been suggested—and he believed the suggestion met the concurrence of Her Majesty's Ministers—that the governing bodies connected with the profession should be brought together before a Committee of that House; that they should have an opportunity of expressing their views, and of stating their objections to the plan of registration which had been proposed; and it was exceedingly desirable, both for the profession and for the public, that some measure, founded upon the information obtained by the Committee, should be adopted. He believed that the inquiry would occupy but a very short time; for the corporations and the medical practitioners

generally had already formed their opinions on the subject: they would merely have to state those opinions before the Committee; and he hoped that, as the result of the opinions thus expressed, some well-devised measure might be adopted which would be satisfactory alike to the profession and the public. The hon. Member concluded by making his Motion.

Sir G. GREY observed, that, although he did not think the objections which had been urged against many parts of the Bill of the hon. Member for Finsbury ought to prevail, he was convinced, if that measure had been pressed, satisfactory legislation on the subject during the present Session would have been hopeless. He considered that the hon. Gentleman was taking the more judicious course in asking for the appointment of a Committee, before whom the various conflicting opinions which existed on this question might be expressed; and he believed that such an inquiry would tend to lead to satisfactory results. He was willing to accede to the Motion, on the understanding that the hon. Member for Finsbury would not proceed with his Bill until after the Committee had made their report.

Motion agreed to.

HOSIERY MANUFACTURE BILL.

On the Order of the Day being read for resuming the Adjourned Debate on the Second Reading of this Bill,

Sir H. HALFORD stated, that he would not press the Bill at that late hour of the evening (12 o'clock); but he thought the House would agree with him that a full consideration of the subject to which it referred could not be evaded.

Mr. W. ELLIS observed, that this Bill had occasioned great excitement in the counties of Leicester and Nottingham, where the price of food was very high, and trade was in a most depressed condition. If the House should determine to send the Bill before a Committee, its adoption or rejection would probably not be decided upon until the meeting of a new Parliament, and the manufacturers would, in the meantime, be kept in a state of suspense. He considered that this was a most unfortunate time for the proposal of such a measure, when there was great probability that the hosiery trade in this country might be still further depressed by the introduction of foreign manufactures. He gave the hon. Gentleman who had brought in the Bill the fullest credit for humane and disinterested motives; but he was convinced that if the Bill were kept hanging over the trade, it would have a most prejudicial effect upon the interests of the operatives. He hoped, therefore, that the hon. Gentleman would consent to abandon the measure.

Sir J. C. HOBHOUSE concurred in the suggestion of the hon. Member for Leicester (Mr. W. Ellis). He had received a petition signed by all the master hosiers of Nottingham against this Bill; and the more he had looked into the subject, the more he was convinced that the mode of legislation proposed by the hon. Member for Leicester would involve him in difficulties of which he had little idea, and would be injurious to the very parties whom he intended to benefit. He would mention one fact of importance. There were 40,000 frames employed in this trade in the three counties, 10,000 of which were independent frames; and the immediate effect of the operation of the Bill would be to confiscate the whole of the latter, as well as the property embarked in them. There was one parish about three miles from the town of Nottingham, in which there were 1,700 of these frames; and there was not a single person connected with those frames who would not be utterly destitute to-morrow if the Bill passed. He had spoken to several parties, who were inclined to allow the hon. Gentleman to go into Committee with his Bill, though they were not disposed to support a single clause of it in Committee; all they wished being inquiry. They thought that there was a sort of case made out as to the distress of these operatives, and they wished to see any way in which that distress could possibly be alleviated. But the Bill of the hon. Gentleman was really a Bill to raise wages by Act of Parliament. The hon. Gentleman himself would confess that.

Sir H. HALFORD: No; its object is to prevent them from being unfairly lowered.

Sir J. HOBHOUSE: Did not that amount to the same thing? The Bill was, in reality, a Bill to raise wages, and that was a principle which was not supported in these days.

Mr. PACKE was surprised that the right hon. Gentleman should have entered into any argument on this Bill, when it was postponed to a future day. He did not think that the Bill would be injurious to the operatives, which was framed in ac-

cordance with the report of the Commissioner appointed in 1844.

MR. T. DUNCOMBE said, that the right hon. Gentleman (Sir J. Hobhouse) might have presented petitions against the Bill from the manufacturers of Nottingham, and perhaps from Leicester also. He had likewise presented petitions signed by several thousands of operatives, who had great reason to complain of those very hosiery manufacturers, in whose behalf the right hon. Gentleman had presented petitions. This was a question, the discussion of which could not be avoided, though it might be very convenient to endeavour to get rid of it by throwing the Bill over till another Parliament. He hoped that the hon. Gentleman would go on with his Bill, and that it would be submitted to a Committee up stairs. He did approve of all the provisions of the Bill; but the details were subjects for consideration in Committee, and he would be ready to prove, when the discussion came on, that the labour and wages of the working classes were confiscated, and that they were subject to gross robbery. He believed that it was impossible that their condition could be worse than it was at present, and he was informed that 500 of the framework-knitters were now in the workhouse at Hinckley. There was not a more ill-used class than the framework-knitters in the three counties.

Adjourned debate farther adjourned till the 9th of June.

SEDUCTION AND PROSTITUTION.

MR. SPOONER brought up his Bill for the suppression of trading in Prostitution, and moved that it be read a first time.

MR. CRAVEN BERKELEY objected to the Motion.

The House divided :—Ayes 17 ; Noes 4: Majority 13.

List of the AYES.

Bentinck, Lord G.	Maule, rt. hon. F.
Brotherton, J.	Monahan, J. H.
Colville, C. R.	Morpeth, Visct.
Dodd, G.	Parker, J.
Forbes, W.	Stanton, W. H.
Greene, T.	Vyvyan, Sir R.
Grey, rt. hon. Sir G.	Wood, rt. hon. Sir C.
Hawes, B.	TELLERS.
Hudson, G.	Spooner, R.
Masterman, J.	Mackenzie, W. F.

List of the NOES.

Escott, B.	TELLERS.
Pechell, Capt.	Duncombe, T.
Sibthorp, Col.	Berkeley, hon. C.
Talbot, C. R. M.	

There not being forty Members present, the House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, May 14, 1847.

MINUTES.] PUBLIC BILLS.—1ª Service of Heirs (Scotland); Poor Relief Supervision (Ireland); County Buildings; Poor Removal (England and Scotland).

PETITIONS PRESENTED. From Liverpool, complaining of the Vast Influx of Irish Paupers into that Town.—From Leeds and several other places, in favour of the Factories Bill.—From the Parish of Burt, in Ireland, against any Clause being inserted in the Irish Poor Relief Bill which would throw the Responsibility of Supporting the Poor on the Occupying Tenant.—From Tiverton, for Amendment of the Law of Settlement.—From the Ipswich Auxiliary Anti-Slavery Society, against the present Method of hiring Labourers for the Colonies, as tending to perpetuate a Modified System of Slavery.—From Wrangford, for the Repeal of the Poor Removal Act.—From Congregation of the Episcopal Chapel, Charlotte Street, Pimlico, for the Repeal of the Roman Catholic Relief Act.—From Guardians of the North Dublin Union, praying that the Assessments for the Relief of the Poor may be charged on the Unions at large.—From Sheffield, for the Enactment of Sanitory Regulations.

POOR RELIEF (IRELAND) BILL.

Order of the Day for receiving the Report of the Amendments read.

The MARQUESS of LANSDOWNE said, he had to state to their Lordships, that when they had in Committee on this Bill, after considerable deliberation, determined upon the general expediency of fixing a limit to the duration of the Bill, to effect which alterations were to be adopted in various parts of the Bill, as should be suggested by the mover, he (the Marquess of Lansdowne) had declared, in order that he might not take the House by surprise, that he reserved to himself the power of taking any course he might think proper on a subsequent stage of the Bill. Their Lordships having now come to the proper stage, it was his duty to state to them, that, retaining the opinion he had expressed in the Committee, he must now propose to strike out of the Bill all expressions which were intended to fix a limit to the Bill and to give it a temporary character. In making this proposal, it was not necessary for him to enter into any detail of the arguments which had been deduced in favour of the one course or the other. The arguments, indeed, on either side, would be found to lie in a very narrow compass. It was alleged by noble Lords who were desirous of fixing a limit to the Bill, that it was a new measure, and that it was in a great degree experimental. He concurred in all those opinions; but he had stated in the Committee, and he repeated now, that, while

he admitted the experimental character of anything so new and so difficult, still he objected to any fixing of a limit which would bind the discretion of Government and of the Parliament as to the precise period when the question should be reconsidered. For these very reasons, because he did consider the importance of the Bill —because they were not able to appreciate exactly the difficulties which they might have to encounter — because of the length of time which might be required to consider those difficulties; he had to state to their Lordships, if they meant to give a fair trial to this measure—if they did not wish to overturn it, or to invite opposition and difficulties — they would reserve to themselves the power of reconsidering the Bill at any time, and at any period, with the view of effecting any improvement in its composition which might suggest itself. He thought that, consistently with reserving to themselves that full power, it was impossible not to see the inconvenience of compelling, at a particular and fixed period, the reconsideration. When he saw among noble Lords who were anxious to fix the period, that they were very long before they could agree among themselves as to the exact period to be determined on— when he saw that some wished for a year, some a year and a half, some three years, and that some preferred five years, he saw in these various opinions full proof that it could not be confidently anticipated when the reconsideration ought to take place, and that the time fixed might be the very period when it was most desirable not to enter upon the subject. If the Bill were to be brought into action in Ireland with any prospect of success, it must be in the confident expectation that, in principle at least, it was to be a permanent measure; otherwise they would see a disposition openly to resist it, or, if not to resist, at any rate to thwart it, and to render it ineffective. If the Bill were to operate as their Lordships intended, and as the House of Commons meant when they passed it, it must be as a permanent measure, subject to revision, as all such measures were; but they ought to give it a fair chance — it ought to have a fair trial; and the Legislature ought to choose the time for its reconsideration. Upon these grounds, without going further into the arguments, he would move that their Lordships disagree to the Amendments giving a temporary character to the measure. The noble Marquess then moved, in the 1st Clause, to disagree to the Amendment made by the Committee inserting the words "during a time to be hereinafter limited."

Lord BROUGHAM said, that he retained the opinion he had formerly expressed in favour of making this measure not permanent, but temporary; and he must say, with the greatest possible respect for the noble Marquess, if he had not heard him say that he was about to move the omission of the words in the clause, he protested he should have thought his noble Friend had been arguing in favour of the course the Committee had taken. The Amendment was to limit the time when they would exercise their discretion; but it did not follow that they would at the end of the period fixed so exercise it, because in the meantime it might be found expedient to protract the period for some years longer. The noble Marquess admitted that they were going to make an experiment, which was full of hazard, and one encompassed about with peril. Now, when it was admitted to be an experiment hazardous and perilous in its nature, could there be any objection to their Lordships binding themselves, in the face of the country, to reconsider it, at all events, within a certain period? And for what? To ascertain whether the trial fortified the conclusions of some in favour of the measure, or impeached the strength of the reasons of others against the measure. Could any man's imagination picture anything more proper? By making the Bill temporary, it would be imperative on their Lordships to reconsider it. But then he was told that it was not giving the measure fair play. He was unable to understand that favourite phrase as applied to a measure of this description. If it were enacted for two years, it would be law for that time; and if it were found capable of being executed for twenty years, no doubt it would continue law for twenty years; but he did not believe it could be executed for twenty months; others thought, not at all. Could there be any objection to its being limited in duration, that it might be known whether it was capable of being executed or no? The Poor Law of 1834 was temporary as to the appointment of the Commissioners; and did any one then charge the promoters of that clause with a want of fair play? The noble Marquess had said, that giving this measure a limited duration would make the people of Ireland indifferent to its being properly carried into effect; his (Lord Brougham's) opinion, on

the contrary, was, that the Irish were much more likely to acquiesce in and put up with the difficulties of the law, when they knew there was to be a limit to its duration.

Lord CAMPBELL observed, that if this had been the Amendment which the noble Earl behind him (the Earl of Wicklow) had given notice of moving—that the whole Bill should be in force for three or five years and no longer, whether right or wrong, it would have been a perfectly regular and Parliamentary course; but what was the Amendment of his noble Friend (Lord Monteagle)? He, in the same Bill, enacted that one clause should be perpetual, and another temporary. Their Lordships would be astonished when he pointed out a few of the incongruities and absurdities which would result from such an Amendment. The material enactment of this Bill was for extending the provisions of the original Poor Law in Ireland. Clause 1 enabled the guardians to grant relief to the lame and impotent out of the workhouse; Clause 2 gave power to the guardians (under the authority of the Commissioners) to grant relief, for a term not exceeding two months, out of the workhouse, even to the able-bodied; then another Clause allowed the relieving officer to give provisional relief before the guardians had been consulted; and there was a fourth Clause, allowing medical relief and medicine to be given out of the workhouse. These were the four extensions of the original Irish Relief Bill, and these four modes of relief were by separate clauses made temporary; but how did the rest of the Bill, the permanent clauses, correspond with these temporary enactments? Clauses 1 and 2 were both made temporary; but Clause 3 was a permanent clause, which enacted that the Poor Law Commissioners should from time to time, as they thought fit, determine the manner in which applications should be made for all relief to be given under the Act, and also the manner in which inquiry should be made into the circumstances of the applicants, and the kind of relief which should be afforded out of the workhouse.

Lord STANLEY: Under this Act.

Lord CAMPBELL: Out of the workhouse! This clause was universal, and the words were, "out of the workhouse." What miserable, piebald legislation was this! The Commissioners' power to prescribe the manner in which out-door relief was to be given, was by this clause made permanent, while by other clauses out-door relief, as far as regarded the able-bodied, was to be temporary, and also as far as regarded the provisional relief by the relieving officer. So also with regard to medical assistance and the supplying of medicine. Then go to the 10th Clause: the marginal abstract was in these words—"How cost of out-door relief shall be charged." This was a permanent clause; therefore the Commissioners would have the power of providing for the cost of out-door relief after the year 1850, although all out-door relief was to cease on the 1st of September, 1850. In short, there were contained in the Bill several clauses most pointedly and elaborately describing what was to be done by the Commissioners after the substratum of their power was utterly gone. He did trust that their Lordships, without any prejudice to the Amendment which the noble Earl (the Earl of Wicklow) was about to propose, would without hesitation reject the Amendment which his noble Friend (Lord Monteagle) had introduced into the Bill in Committee.

Lord MONTEAGLE hoped their Lordships would, in fairness, allow him to explain the nature of the Amendment which he had proposed, and the intention with which he proposed it. In the first place, however, he would set his noble Friend right with respect to a matter of fact. His noble Friend made a mistake when he stated that medical out-door relief was, by the Amendment, made temporary. The fact was not so. That relief was made permanent by the Bill, and he (Lord Monteagle) left it so; and his reason was this—he had always drawn a broad line of distinction between that relief which could be given, not only consistently with charitable feeling, but with sound principle and wisdom; a relief which did not tend to increase the evil, but to diminish it. He had always distinguished that description of relief from that relief to the able-bodied, which, in his opinion, aggravated rather than alleviated the condition of the people. The Act provided, that during the period of three years out-door relief should be given, under the instructions of the Commissioners; and the clause providing for this was supposed to be inconsistent with the clause to which the noble and learned Lord referred. But that clause only provided, that during the time out-door relief was to be given, the Poor Law Commissioners should have the power of controlling and carrying it into effect. This was

the whole of the inconsistency which had been discovered by the noble and learned Lord; and, with respect to the other provisions, the objections would be found to be precisely of a similar character. On a former occasion, when his noble and learned Friend, with the same amount of indignation, denounced very strongly all the numberless anomalies into which he said he (Lord Monteagle) had fallen, he took the liberty to call their Lordships' attention to the fact, that they had already many precedents in the legislation of this empire where parts of Acts were made temporary, and parts perpetual. He alluded, for instance, to the renewal of the Bank Charter Act, and showed that that Act, being temporary in its duration, contained clauses which were of a permanent character. In fact, the whole of the usury laws of the country were modified by one clause in that Act. The East India Charter Act had also a clause in it that was perpetual, though a measure of a temporary nature; and many other instances might be given, to show that what he had done on this occasion was, in point of fact, no novelty among persons dealing with the work of legislation. The noble Lord the President of the Council had stated that his Amendment limiting the operation of the Bill as to time, would endanger the working of the whole Bill. Now, he believed they could not take a step more calculated to defeat the object of the Bill than to legislate permanently. There was not one among their Lordships who had expressed perfect confidence in the principle of the Bill, except the noble Earl the Secretary for the Colonies, who had said, that if the principle of out-door relief was once enacted, they would never have it in their power to get quit of it again. With the exception of that noble Earl, not one of their Lordships had expressed confidence in the principle of out-door relief; and he, therefore, called upon their Lordships to act up to their convictions, and to deal with the country justly and rightly. If they believed that the Bill contained within it the principles of permanence, and that it would be successful as regarded the object contemplated, then they would act rightly in giving it their support; but if they did not believe that it would be so—if they were groping in the dark, and regarded this as merely the trial of an experiment—then he called upon them to look to the interests of the country which the Bill referred to, and not to legislate permanently—to have a due regard to their own characters, and not fix down for ever upon Ireland a measure in which they had no confidence, and which propounded an experiment which he would designate as frightful. He was not wedded to his own particular proposal. Whether the period was for three or five years, was to him a matter of comparatively little moment; and if the proposition of his noble Friend (the Earl of Wicklow) was adopted by the House, he should feel perfectly satisfied. In considering the importance of this measure, they now had to look to the probable state of Ireland for several years to come. No man could believe—even supposing the most sanguine anticipations of agriculturists were to be realized—that the next year would be anything but a year of great suffering and difficulty in Ireland. Not even for three years did he believe that Ireland could expect to be extricated from her difficulties. If so, then this Bill would be applied just at a time when they would have the sympathies of the whole country in its favour—when all parties would be most interested in its success. It had been said, that his object in proposing this Amendment was to defeat the Bill itself; but it was no such thing; his sole object was to insure to their Lordships and the other House of Parliament the reconsideration of the Bill at the end of three years. There were two living witnesses to whom he wished to appeal as to the nature of the risk their Lordships were about to run in the present experiment. The first Poor Law for Ireland, which was introduced upon the ground of there being no provision for out-door relief, was opposed by no one more strongly than the noble Lord near him (the Marquess of Clanricarde). That noble Lord had opposed the Bill from the first; and, in 1843, after he had experienced its working, he declared that all the evils that had been anticipated relative to the measure had been realized, and that the expenses were so great that it was impossible for that unfortunate country to bear them. He would also call another noble Friend (the Earl of St. Germans) as a witness to the danger of this measure, and would quote his testimony, given at a time when he was to a certain extent responsible for the government of Ireland. The noble Earl said he could not concur in a proposition for out-door relief, as he believed it would be "evil in its consequences, and ultimately destroy the property of the country." On the subject of out-door relief, the noble Marquess (the

Marquess of Clanricarde) had stated, that such a system would be a "confiscation of property which no man would have the hardihood to propose." Now they had the same system which they were formerly told no man would have the hardihood to propose, and which would amount to confiscation of property, proposed to their Lordships, and supported by the noble Marquess. He would ask their Lordships not to forget the principles on which all sound legislation should proceed; and, while they were making an experiment, the dangers of which they admitted, to pause before they fixed that experiment on the principle laid down in this Bill. It had been said by another noble and learned Lord (Lord Campbell), that many of their Lordships did not know for what they were voting when the question was formerly before them; but he believed, that if ever a subject was calmly and dispassionately discussed, it was this subject when last brought under the attention of their Lordships. He asked them to support now the vote then given. He was aware that there were circumstances connected with that House that would give an advantage in the vote over the proceedings which had taken place in Committee; but still he had that confidence in their Lordships which led him to believe that they would maintain the ground they formerly occupied.

The Marquess of CLANRICARDE was surprised to hear a noble and learned Lord talk about reconsidering the principle of the Bill, when it must be evident to every one that the object of the Amendment was precisely that they should not consider the main principle of the Bill. The Amendment of the noble Earl behind him (the Earl of Wicklow) applied to the whole Bill; but that of the noble Lord (Lord Monteagle) practically left out all the parts of the Bill in which the main principle was involved; so that all who voted for the Amendment voted against the principle of the Bill, which was out-door relief. He had already admitted that no one had been more opposed than he had been to the introduction of the present poor-law system for Ireland; and if he was again placed in the same circumstances, he would again oppose it on the same grounds. He had then advocated the alternative which had then been open to the Legislature, and he had urged the adoption of that other system which had been recommended by the Commission of 1836, and which, had it been carried out on a large scale, would have conferred incalculable benefits on Ireland. But a part of that very system would have been out-door relief. Noble Lords might doubt if such was the fact; but this in reality would have been the case. He had contended that the object of the Legislature should have been, not to apply the workhouse test, but to relieve immediately all the impotent poor. This was the principle which had been laid down by the Commissioners; for this he had contended then, and for this he contended now. His noble Friend spoke of a fearful experiment, and expressed an opinion that they had no confidence in the principle of the Bill. He (the Marquess of Clanricarde) begged to say, that he had the fullest confidence in the Bill, provided only the people of Ireland chose to execute it in conformity with its principle. If, however, they passed it with the declaration that it was but a temporary law, passed to meet a passing emergency—if they spoke, not in reference to the destitution and pauperism of Ireland, but to the necessity of employing the poor; and if they entertained the opinion that this calamity under which the country now suffered, and its consequences, would in a short time disappear, then, he verily believed, they might by means of this Bill inflict suffering and injury tenfold greater than that which they sought to remedy and remove. If, again, they passed the Bill, so that, after a short time had elapsed, it would appear only as maintaining the workhouse test and doing nothing for the able-bodied poor—giving relief merely to such paupers in extreme cases, then they would be entitled to prophesy a fearful experiment. There was no shutting their eyes to the facts which stared them in the face; and there was no avoiding the question, how are the great masses of the poor supported at this moment? There was no doubt that the Bill was an experiment; but it was an experiment which they were bound to make; and they would make it with the greatest possibility of success if they induced the Irish people to use their best endeavours to obtain for the principle on which it had been framed a sound establishment in the country; and it was for this reason he deemed it the safest course to pass the Bill as a permanent measure.

The Earl of WICKLOW conceived that the sole question now for their consideration was, not whether the Bill should be divided, and portions of its clauses made

temporary, while others were made perpetual in their operation, but whether the measure which they now discussed should pass entire as a temporary or as a permanent measure? His noble Friend (the Marquess of Clanricarde) had stated that the guardians would not be enabled to work such a Bill effectually if they had to deal with it as a temporary measure. He (the Earl of Wicklow), on the contrary, was of opinion, that the very best mode in which they would ensure such a measure being effectually carried out, would be by first attaching to it a temporary character. He was induced to form this conclusion, not only by reference to the motives which would actuate the guardians, but by reference to a much more important power, whose influence they would have to consider—if the Commissioners had to undertake the superintendence of this Bill for three years, their attention would be infinitely better directed to it, and their exertions would be infinitely greater, than if they looked upon it as a permanent enactment. He, however, admitted that he had not the slightest expectation that ultimately they would not have a Bill of this nature. He would go further. He would admit—so far as his own knowledge of particular localities and general experience enabled him to estimate the circumstances correctly—that he saw no reason to apprehend any evil result from the operation of such a measure. When, however, he perceived those who introduced the Bill—both the First Minister of the Crown and his noble Friend the President of the Council—expressing the most serious doubts of its working in some parts of the country; when he heard those most friendly to it confessing that they looked upon it as a fearful experiment, surrounded by rocks and shoals and quicksands; he could not avoid arriving at the conclusion that it was their bounden duty to limit the period for which such a Bill was passed, and to take those precautions which ensured them from possible danger and probable difficulties. He had put a notice on the Paper to limit its operation to three years; and he had done so solely with the view of insuring a revision of the measure by Parliament within a certain time. It was quite true that the making the measure at once permanent would not preclude Parliament from revising the measure; but he wished to make this a matter of certainty. He trusted, therefore, that their Lordships would decide in favour of this being a temporary measure. If they should do so, he should feel it his duty, when they came to the last clause, to move that the whole Bill be temporary for the period of three years.

The Earl of RIPON had given the subject the deepest consideration; and, after duly weighing the circumstances of Ireland and the means which they possessed of ameliorating the national disaster, he had come to the conclusion that it would not be expedient to agree to the Amendment proposed by his noble Friend, that the Bill should not receive the sanction of their Lordships as a permanent measure. He therefore could not undertake to vote for the Amendment. The object was to limit the operation of those clauses which, because containing the main principle, were essential to the success of those other parts of the Bill which would be permitted to pass permanently; it was the principle of out-door relief which would now have to be tested, and he could not see the policy of making such a restriction as that now recommended. He would, however, confess, that, as he had originally opposed the application of the principle of out-door relief, it was with very considerable reluctance he now consented to give his vote in favour of this measure. He saw, however, that in Parliament and out of Parliament—in the reports of Commissioners, and in other documents—the opinion was gaining ground that the time had arrived for the introduction of this principle into a Poor Law for Ireland; and as he could not deem himself an authority on such a subject, being indifferently acquainted with Ireland, he supposed he ought to bow to the dictum so generally pronounced. If he could discover in the state of Ireland any resemblance to the state of England, he should no longer have any hesitation in admitting that the principle of out-door relief should now be applied to the one in precisely the same manner as it had been applied in the other country. He believed the principle to be sound, and, when applied to England, safe; but he saw no such similarity in the circumstances of Ireland as would warrant him in concluding that it would be a principle upon which they might rely for the good working of a Poor Law in that country. When he spoke of the condition of a country, he meant the social condition, and he took into account also the character of the people. The noble Earl then proceeded to quote from the reports of various commissions, to show that, as compared with the

number of acres, the number of agricultural labourers in Ireland greatly exceeded the number in England; and then proceeded to ask, how was it possible they could see that resemblance between the circumstances of the two people which alone would justify them in legislating on one principle for the poverty of each? The situation of the two countries was obviously directly different, and therefore that which was right for one might not necessarily be right for the other. The labouring classes in Ireland were, during thirteen weeks in the year, in a condition of permanent want, not from any fault of their own, but because there was no work for them to be had; and there was, consequently, good reason to doubt if the law which had operated so beneficially in England, might not be attended with a contrary result in the sister kingdom. The noble Earl concluded by stating, that the restrictions of the Bill appeared to him likely to prevent abuses; that he could not see any other way of relieving the immense mass of poverty they had to deal with; and he should therefore give his support to the Bill.

The EARL of RODEN said, the question for their Lordships to consider was simply whether the Bill should be temporary or permanent. He confessed, when he first heard this measure mooted, in the public prints and elsewhere, he viewed the system of out-door relief with great alarm; but, under the circumstances of the country, he came to the conclusion that it was necessary; and he assured their Lordships, however much he might be opposed to it, yet, seeing the anxiety the Government had on the subject, proved by the other measures of relief they had introduced, he should, if the Bill were agreed to, give every assistance to carrying it into effect. But it was most important that the measure should be temporary, in order to satisfy the minds of that portion of the community which would have to carry out the measure in Ireland; if the Bill were passed, as a permanent one, it would terrify and disgust those classes, and would not produce the effect desired. It was absolutely necessary there should be a time fixed when the Government, in whatever hands it might be, should be compelled to reconsider this hazardous measure, and give it their full attention. He cared not what time they might fix, whether one year or two; he only wished them to admit the principle that the measure should be temporary, and subject to further investigation and improvement.

EARL FITZWILLIAM entirely agreed with the noble Earl (the Earl of Ripon) that the difference between England and Ireland was so great that it was impossible to reason from one country to the other; and therefore he would venture to infuse into the minds of their Lordships some further doubt as to the expediency of the measure. When they looked at its origin and history, the various proceedings that had taken place upon it, the opinions expressed and the arguments advanced with regard to it, and the appeals made to various quarters on its behalf, they could not doubt it was an English measure forced upon Parliament and upon Ireland by the opinions of persons who had not, like the noble Earl, the modesty to acknowledge they were not well acquainted with the country, and of persons who were not well fitted to legislate for it. The measure was introduced to the Legislature, and described to it as a measure of great danger, one to be looked on with apprehension; would it not be imagined that those who thus described it would allege this as a reason why it should be temporary? But his noble Friend had, for the first time, that evening, stated the very danger of the measure as one of the arguments why it ought to be made permanent. The noble Earl had spoken of the immense mass of poverty they had to deal with. The measure would not relieve that mass of destitution. The proposers of the existing Poor Law supposed it would give that relief, and it had utterly failed. Would the present Bill be more likely to succeed? If he were quite sure the restrictive clauses would be thoroughly effectual, he should have infinitely less objection to the Bill. However disinclined the Irishman was at present to receive parochial relief according to the English understanding of the term, and however efficacious the limitation of relief might be in other respects, the measure would still reconcile the Irishman to receiving parochial relief; that was one of his great objections to the Bill; every manly and properly feeling would be eradicated from the mind of the people, and ere long they would be as willing to depend on the parochial rates as the paupers in any county of England. As to the communities among which the support of the poor was to be divided, no one would deny that the burden ought to be distributed as equally as possible over all parts

of the country. They were well aware of the inequality with which the rating was already beginning to press upon Ireland; this was another reason why the measure should be temporary; they ought to keep the power of revising it in their own hands. For these reasons he must support the clause limiting the period of the operation of the Bill.

Earl FORTESCUE said, he must enter his protest against the statement of the noble Earl, that the measure was a piece of English legislation forced on Ireland, against the opinion of everybody possessing any knowledge of that country, or connected by property with it. He entirely dissented from that assertion. He was not insensible to the dangers and difficulties that would have to be met; but those difficulties would be increased tenfold if the Bill were made temporary. At present great disinclination to receive the measure existed on the part of those whose co-operation was essential to its success; but let it be understood that it was a temporary measure, and it would be vain to look for aid in that quarter. Another circumstance ought to be taken into consideration in dealing with this question—a Bill was at present before their Lordships which empowered the Government to grant loans to the Irish landlords, which were not to be repaid until the end of 22 years. Now it was not probable that the people of England would be content to lend money to the Irish landlords on these terms if their Lordships should limit the operation of the Poor Relief Bill to three years.

The Archbishop of DUBLIN said, that in the course of the discussion a noble Earl had referred to a report on the subject of the condition of the Irish poor, to which his (the Archbishop of Dublin's) name was affixed. It was not his intention to enter into any lengthened explanation of that report. It was a short document; and any noble Lord who might think it worthy of consideration could, by reading it, see what were the opinions of the Commissioners who made it. He would now only say, with reference to what had fallen from the noble Earl, that his opinion, and he believed he might say the opinions of his brother Commissioners, as expressed in the report, remained unchanged. They were not inclined to shrink from or retract the opinions which they had expressed. They saw such a difference in the circumstances of the two countries as would make the workhouse test much less efficacious in Ireland than in England. The difference between the two countries rendered the giving of out-door relief a much more hazardous experiment in Ireland than it was in England; and after full and careful consideration, he and his Colleagues came to the conclusion that it was not desirable to establish such a system in Ireland. Nothing which had since passed had changed his opinion on that point. With respect to the present measure, he maintained the opinion, in common with many noble Lords who supported, as well as those who opposed, it, that it was a very hazardous experiment. He imputed no blame to those who had brought the measure forward. They had before them only a choice of evils; but, looking upon it as an experiment, he wished it to be treated and considered as an experiment. He had always, in his own mind, drawn a broad line of distinction between relief to the impotent, aged, and infirm, and relief to the able-bodied; and he wished that distinction to be strongly marked, by giving to those parts of the Bill which related to relief to the able-bodied a temporary character. It appeared to him that wisdom prescribed such a course when they were about to introduce a novel, and, as almost every one admitted, an hazardous experiment. In common parlance it might be said that he was hostile to the Bill; but if by that expression it was meant that he entertained a wish that it should break down and fail in working, he utterly disclaimed being actuated by any such motive. He was hostile to the measure only in the sense in which many persons who supported it were hostile to it—he deemed it to be a hazardous experiment. Without troubling their Lordships with the grounds on which his conclusion was founded, he would content himself with declaring his opinion that the measure would be more likely to have a fair chance of being carried into beneficial operation if it bore a temporary character. It might be said that Parliament could repeal the measure if it should be found to work prejudicially; but he did not wish to leave the question in that state; he wanted their Lordships to have the power of dealing with it at the end of three years, unfettered by what might be resolved upon in another place. He was very reluctant to proclaim to the Irish people the principle that the property of Ireland was made over to them in perpetuity. If the Bill —its operation being limited to three years—should be found to work well, and

produce beneficial results, without demoralising the people, it could be renewed for a further period, or in perpetuity. By taking that course their Lordships would avoid creating expectations which it would be impossible to realize, and hazardous to disappoint. It had been said, that if this Bill should pass as a temporary measure, the ratepayers would deal recklessly with the expenditure in order to bring the law into disrepute, and to prevent its re-enactment; but he could not conceive that even such persons as the Irish landlords were, would act so absurdly as that; for that, in fact, would be tantamount to imposing a fine upon themselves. It was desirable that their Lordships should consider the manner in which the measure would affect that excellent body of men, the clergymen of the Established Church in Ireland. If he were asked what class in Ireland had been most conspicuous in relieving the distress which afflicted the people of that country, he would reply, without fear of contradiction, the clergy of the Church of England. Their Lordships might think that he spoke with partiality of the order which he belonged to; but in support of his statement he appealed to facts which were notorious. The clergy of the Church had made the greatest sacrifices to administer to the relief of their distressed brethren, of all persuasions, under the present affliction. In spite of some ill-judged efforts which had been made to induce the clergy to avail themselves of the occasion to make proselytes, by tendering bread to the starving on condition of their listening to religious instruction opposed to the dictates of their conscience, they had disregarded all such influence, and nobly discharged their duty by administering to the wants of their suffering brethren of all persuasions. Few were aware of the extent to which the clergy had suffered, for they had not obtruded themselves on the public notice. He knew it to be a fact that, in many instances, the clergy had deprived themselves, not only of luxuries and comforts, but almost of every necessary of life, in order to relieve their suffering countrymen —and that, too, in districts where nineteen out of twenty of the population were Roman Catholics. It was not his wish to raise an invidious comparison between the clergy of the Church and the Roman Catholic priesthood, for it should be borne in mind that the latter, whatever their disposition might be, had no endowments, but depended for their means upon the contributions of their flocks. The clergy of the Church formed a class most important to the working of such a measure as that under their Lordships' consideration; and yet upon that class, impoverished by their charitable efforts, the measure pressed with undue severity. In speaking of the clergy of the Established Church of Ireland, he could not restrain himself from making one observation in reference to an individual well known to all their Lordships—a nobleman who had made the best, the truest interests of that Church his peculiar care, as far as had come under his supervision —he meant the present Lord Lieutenant. He hardly knew whether, at that very moment, that nobleman was Lord Lieutenant; but in the immediate danger in which they were placed of having him removed from them, he (the Archbishop of Dublin) could not forbear from adding his humble testimony to the great, most assiduous, and constant care with which the noble Lord had regarded the affairs of the Church. As long as that noble Lord had been able to give his feeble and partial attention to the business brought before him within the last few weeks, he had taken particular care as to the disposal of ecclesiastical preferment, and of all matters relating to the good conduct of ecclesiastical affairs in Ireland. He had had interviews with that noble Lord chiefly on matters connected with the Irish Church and education; and he could bear his testimony to the very great services which that noble Lord had all along rendered to Ireland upon all points which had come within his knowledge. He felt himself bound to express his gratitude, not only to that noble Lord himself, but also to Her Majesty's advisers, who, well knowing the character of the noble Lord, had appointed him to so important a situation at so critical a period for Ireland. That selection did them the highest honour; and in the presence of some noble Lords who had held the same exalted office, and in the presence of many others who, like himself, had had experience of many Lord Lieutenants, he must bear his testimony to the merits of the present Lord Lieutenant, who was second to none he had ever known for the display of the most important and valuable qualities under circumstances of unparalleled difficulty, which required the exercise of those great and good qualities to a larger extent, in the few months he had ruled over Ireland, than in ordinary times would have

been called for in the course of years. It would make the period of his administration long remembered in Ireland; and when it terminated, and he feared the time was not far distant, it would be looked back upon by the Irish people with lasting gratitude.

The MARQUESS of CONYNGHAM wished, on behalf of the people of Ireland, to express the thanks which he sincerely felt for the liberality and munificent generosity which this country had displayed towards the Irish sufferers. With respect to the measure then before their Lordships, he did not participate in the fears expressed by many noble Lords as to the effects it would produce; he believed, on the contrary, that they were very much exaggerated. He could not think so ill of his own countrymen as to suppose that if fair labour were offered to them they would prefer a workhouse instead of availing themselves of that employment. He thought that the laws of this country and those of Ireland ought to be assimilated as closely as possible; and it was because he considered this measure to have that tendency, that he supported it. It would, at any rate, have the effect of relieving the landlords of Ireland of much of the odium and abuse which had hitherto been heaped upon them for not doing their duty to their tenantry; and though he did not regard it as a panacea for all the evils of Ireland, yet he considered it as a great step in the right direction.

On the Question whether to agree to the said Amendment of the Committee:—Content 42; Not-Content 54: Majority 12.

List of the CONTENTS.

DUKE.
Richmond

MARQUESSES.
Downshire
Ormonde

EARLS.
Bathurst
Dartmouth
Clare
Desart
Ellenborough
Fitzwilliam
Enniskillen
Leven
Lonsdale
Lucan
Malmesbury
Mountcashel
Ranfurley
Rosse
Stradbrooke
Winchilsea
Roden
Burlington
Wicklow

VISCOUNT.
Clancarty

ARCHBISHOP.
Dublin

BISHOP.
Glocester

BARONS.
Abinger
Berwick
Bolton
Castlemain
Colchester
De Ros
Northwick
Rayleigh
Redesdale
Southampton
Stanley
Templemore
Tenterden
Wrottesley
Blaney
Boston

List of the NOT-CONTENTS.

DUKES.
Bedford
St. Alban's

MARQUESSES.
Lansdowne
Conyngham
Northampton
Clanricarde
Camden
Cholmondeley

EARLS.
Auckland
Chichester
Clarendon
Clanwilliam
Devon
Ducie
Fortescue
Granville
Grey
Galloway
Ripon
St. Germans
Shaftesbury
Glasgow
Waldegrave
Yarborough
Zetland
Harewood
Morley

VISCOUNT.
Sydney

BARONS.
Beaumont
Byron
Bruce
Camoys
Campbell
Carington
Colborne
Cottenham
Erskine
Foley
Hastings
Montfort
Strafford
Sudeley
Wharncliffe
Kinnaird
Manners
Kenyon
Mostyn

BISHOPS.
Peterborough
Lichfield
Lincoln
Worcester
Hereford
St. Asaph
Ely

Paired off.

CONTENT.	NOT-CONTENT.
Viscount Combermere	Earl of Rosebery
Earl Charleville	Bishop of Durham
Earl Orford	Lord Portman
Viscount Lake	Earl of Denbigh
Marquess of Ailsa	Lord Beauvale
Earl of Erne	Lord Vivian
Earl of Orkney	Earl of Ilchester
Marquess of Exeter	Earl Spencer
Earl of Munster	Viscount Clifden
Earl of Bradford	Lord Dinorben
Marquess of Abercorn	Lord Dacre
Earl of Sheffield	Lord Walsingham
Bishop of Exeter	Bishop of Chester
Duke of Newcastle	Marquess of Headfort
Earl of Limerick	Earl Verulam
Lord Sondes	Lord Glenelg
Viscount Beresford	Marquess of Anglesey
Lord De l'Isle	Lord Crewe
Marquess of Ely	Earl of Leicester
Lord Ashburton	Earl Minto
Earl Delawarr	Earl Fitzhardinge
Earl Digby	Bishop of Salisbury
Earl of Eldon	Earl Camperdown
Duke of Manchester	Marq. of Winchester
Lord Wynford	Lord Lilford
Earl of Cardigan	Duke of Norfolk
Earl of Tankerville	Earl Cornwallis
Lord Saltown	Earl of Fingall
Lord Willoughby D'Eresby	Bishop of London
Earl of Wilton	Duke of Roxburgh
Duke of Beaufort	Lord Langdale
Earl Nelson	Earl of Effingham
Earl of Somers	Lord Lyttleton
Viscount Canterbury	Bishop of Rochester

Marquess of Ailesbury	Earl of Ellesmere
Earl of Warwick	Bishop of Oxford
Earl of Longford	Bishop of St. David's
Lord Brougham	Earl Craven
Lord Middleton	Earl of Sefton
Lord Faversham	Duke of Buccleuch
Viscount Strangford	Lord Gardner
Duke of Cleveland	Bishop of Ripon
Earl of Haddington	Earl Powis
Lord Gage	Lord Churchill
Earl of Kinnoul	Earl Howe
Earl of Egmont	Viscount Falkland
Duke of Montrose	Marq. of Westminster

Resolved in the negative; and the words were struck out of the Bill.

The EARL of CLANCARTY: I feel, my Lords, that in proposing the Amendment of which I gave notice, I must do so under considerable disadvantage, after the protracted debate that has just terminated. I shall only preface the few observations with which I shall trouble your Lordships, by assuring you that the modification I beg to propose of the first two clauses of the Bill would not in any degree diminish its efficiency as a measure of relief for the destitute: but is, on the contrary, designed to render the Bill as efficacious as possible, as a measure to promote the moral and social improvement of the population. The principle has been affirmed that out-door relief shall be engrafted upon the Irish Poor Law. I call upon your Lordships to make the enactment such that it may tend to the benefit of the country, and be free from the evil consequences I shall point out as likely to arise from the operation of the first clause of the Bill as it now stands. The object of the Amendment is to make the principle of the existing Poor Law, viz. relief of the destitute poor within the workhouse, as far as possible the rule, and out-door relief the exception. I acquiesce in the necessity that may arise occasionally, and in the present year has arisen, of providing relief without the walls of the workhouse; and for such emergencies the Amendment I propose more amply provides than does the Bill; for the very possible occurrence of the workhouse becoming unfit for the reception of the poor from other causes than fever or infectious disease, is quite overlooked in the Bill; and two months, which is the term beyond which it is proposed that out-door relief shall not be authorized at any one time, appears to me quite too short a period to contemplate as likely to cover the duration of a season of want. I, therefore, suggest in the Amendment, that the authority for any order warranting the distribution of food out of the workhouse, should be good for six months, unless sooner revoked; and that every order authorizing this exceptional mode of relief should set forth the special grounds that called for it. It is necessary, if you attempt to put down the practice of mendicancy, that legal provision should be made for the relief of the destitute in the contingency of its being impossible to receive them into the workhouse. The practice of out-door relief thus limited, would not be liable to abuse, and would meet the necessities of any emergency that might arise. I trust your Lordships will not go further in applying the principle of out-door relief to Ireland than the necessity of the case clearly warrants. It is admitted on all hands to be a practice attended with much danger, and subject to the greatest abuses, unless, as in this country, guarded by the most careful system of parochial supervision, and that jealous watchfulness upon the part of the ratepayer which arises from the stimulus of his own interest, and the consciousness that he has the power to protect himself, which in Ireland unfortunately he would not have. If out-door relief were with any justice to be viewed as a boon to the large pauper population of Ireland, or if the workhouse involved hardship, or severity, or failed of producing benefit, beyond the supply of their physical wants, to the paupers, I freely admit that a regard merely to the interests of property, and the apprehensions of ratepayers, might not alone justify opposition to the new and discretionary powers proposed by the first Clause of the Bill to be given to the boards of guardians. But I think I can show your Lordships, that such a change would not be for the advantage of the poor or of the community; and that the workhouse has been found, and may be rendered still more so, productive of moral good to the pauper inmates; and I therefore contend, and would most anxiously urge it upon the House, that the wants of the destitute claiming relief under this law, should continue, as at present, to be relieved in the workhouse, and always considered with the aid of the workhouse test, so long as the accommodation within the walls enables the guardians to apply it. Those who have seen out-door relief administered among the rural population of England, may have seen much to gratify, nothing to offend, the eye, or make one desire that the workhouse system were carried further than it is in a country where things are so well ordered and controlled. The circum-

stances of Ireland, however, are very different. I rather think that no one who is acquainted with the wretched and unimproved condition of the Irish poor, in all that relates to the comforts of civilized life, would wish that it should remain unchanged. There are not in England the habits to be corrected which there are in Ireland. The cottage does not here present the rude and comfortless appearance, the squalid and unwholesome reality, of the Irish cabin. It is, however, to the rising generation that you must chiefly look for any effectual and lasting improvement in the condition of the poor. Here, again the case of England contrasts with that of Ireland. The poorest of the rising generation in this country are accustomed to see prevailing habits of order, thrift, and industry; and the very example trains and fits them for useful exertion. Not so the children of the poor in Ireland. With excellent qualities of heart and capabilities of instruction, they are, like the soil on which they live, a raw material of great but unimproved value, and for want of motives and incitements, undesirous of improvement. Schools there are, but the parent, himself ignorant, unambitious, and improvident, cares not to see the condition of his child different from his own; and thus from one generation to another, the last only differing from the previous one in the greater amount and more hopeless circumstances of wretchedness it exhibits, the mass of pauperism has gone on increasing, and such will continue to be the case, though with somewhat of aggravation, from the mere substitution of relief given at the cabin by the hands of the relieving officers, in lieu of the charity demanded from an almsgiving public. My Lords, I think the Poor Law, as now administered strictly upon the workhouse principle, is calculated to correct, or greatly to assist in correcting, this state of things. The workhouse schools at the present time afford education to upwards of 50,000 destitute children, who, but for this institution, would grow up and remain for life burdens upon the public, instead of becoming, as with proper care they may become, useful and helpful members of society. The testimony of the most competent witnesses has been borne to the efficiency of the workhouse schools; and my noble Friend opposite (Lord Monteagle) has shown your Lordships how they may be further improved, at the same time that you enlarge the extent of workhouse accommodation. There is, however, a collateral advantage arising from them, which is well deserving of consideration, that being in general better superintended and more efficiently supported than the parochial schools, and being pretty evenly distributed over the country, they are calculated to produce a spirit of emulation in those institutions most favourable to the cause of education, on which any real or permanent improvement of the country must mainly depend. I deprecate any step that may check this useful operation of the existing Poor Law; yet such there is reason to apprehend would be the effect of making it optional with boards of guardians to relieve in or out of the workhouse. Let me remind your Lordships of what I stated on a former evening, that relief can in each individual case be more cheaply given out of than in the workhouse, and that the poor in general will accept the minimum that they can obtain in their cabins, in preference to entering the workhouse. There can be little doubt, that should the boards of guardians adopt the principle of giving out-door relief in the case of the aged and permanently disabled, they will be still more disposed to do so in the case of children, and refuse longer to receive them into the workhouse, leaving them to take their chance of being educated in the parochial schools, supported at the expense of the State, and thus saving to the unions the entire expense of the staff of school teachers, their salaries, rations, and school requisites. Again, with respect to the adults, the aged, the widow, the cripple, and the blind, much cannot be done certainly to mend their condition; but it is due by the existing system of workhouse management to observe that they are cared for in a manner that is most satisfactory. This subject was much investigatod before your Lordships' Committee last year, and the several witnesses examined bore out my own observation of the beneficial effects of the regulations and discipline of these establishments upon the health, comfort, and character of those objects of charity in whose favour the workhouses were primarily instituted. Well fed, clothed, and lodged, with medical aid at hand in sickness, and the comfort, at all times, of such religious instruction as they wish for, by degrees they come to prefer the habits of order and cleanliness that were at first distasteful. I have no hesitation, speaking from my own observations, in saying that a

great moral advantage is felt even by this class of the destitute from the institution of the workhouse. There is, undoubtedly, a reluctance to enter it; but this proceeds from a feeling that your Lordships should cherish rather than abate—a laudable feeling of pride that may be made productive of much good—that may be the foundation of habits of self-reliance. I would strongly urge upon your Lordships that a distinction should be maintained between poor persons dependent upon their own resources or industry, and those who are dependents upon poor-law relief; this is done at present by administering all legal relief in the workhouse. If it be administered at the cabin, or elsewhere out of the workhouse, by the relieving officer, the recipient of it may be placed upon an equal or even a better footing, than the poor person or family that shares in the hard-earned wages of industry. There will be then nothing to encourage to independent exertion—everything to promote fraud, idleness, and improvidence. Such, my Lords, will be the moral effect upon the population of Ireland, arising from the operation of the first clause of this Bill, in the very probable event of the boards of guardians adopting the practice of giving out-door instead of workhouse relief. Then what will be the prospect of the ratepayers, when relieving officers come to be appointed in the several electoral divisions? I will suppose that the very best man that can be found is in each case selected to fill the office—that he is chosen under no improper influences—that he is most desirous faithfully to discharge the duties for which he is paid; but what check will there or can there be upon him? The causes that will combine to coerce him to admit to relief, will be such as it will be impossible for him to contend against. You have, from the most unsuspicious sources, evidence of the abuses which, under the operation of the Labour-rate Act, arose from the power of obtaining pecuniary relief from public resources. Is it reasonable, my Lords, to think that one unprotected officer will be able to prevent abuses that committees of magistrates, clergy, and the most active agents of property, aided by Government officers were unable to check? To the relieving officer will practically be confided the duty, without the power, of protecting the interests of the ratepayer. He will be the sole judge of the urgency of the cases that will be brought before him. Did you ever, my Lords, receive a petition from Ireland that did not eloquently describe a case of urgency? Too many such unhappily do exist, and they are likely to be found in still greater numbers in Ireland in every class of society. Urgent distress may indeed be said to be universal in that country, the cases differing only in degree. But how will the relieving officer discriminate, how withstand the combination of circumstances that will compel him to admit apparently helpless families to relief? The priest's dues, the middleman's rent of the cabin and quarter acre, the repeal rent, the interest of the apothecary or medical attendant to be appointed under the 5th section of the Bill, the powerful appeal of the applicant, and the natural disposition to comply with the seeming requirements of charity—these are so many inducements, that, separately, or together, will generally combine with the officer's own instinct of self-preservation to produce, in the dispensation of out-door relief, an almost indefinite lavish, and most demoralising expenditure of the rates raised from and only paid by the industrious. Such an Act cannot work well; nothing but a perfect assimilation of the law to that of England could afford the remotest hope of any effectual check against abuses. I deprecate, my Lords, the necessity for making any such change; and I lately stated the grounds upon which I objected to it. The noble Lord (Lord Stanley) who proposed it, did so expressly upon the ground that "the English Poor Law giving relief must be accompanied by the English safeguard"—that safeguard he has found that he cannot apply. I call upon him, therefore, and those who agreed with him, to consent to a modification of the Bill, which would render that safeguard unnecessary. I do not ask your Lordships, nor do I wish, that the Bill should be incomplete as a measure for the relief of the destitute—the contrary is my desire. The Amendment I propose is brought forward with no selfish, no party, no class view. My sole object is the practicability of what may be of service to my country; and I pray that your Lordships' deliberations may tend to the same result. I beg in conclusion to move to—

"Leave out from 'Ireland' in the sixth line of the first clause to the end of the second clause, and substitute the following for the words proposed to be left out:—'And whereas, from the insufficiency of room or other cause, the said guardians of the poor may sometimes be unable to afford relief within the workhouses to all who are proper objects to be so relieved, be it enacted by the Queen's Most Excellent Majesty, by and with the

advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, that if at any time it shall be shown to the satisfaction of the Poor Law Commissioners, that by reason of the want of room in the workhouse of any union, or in such additional workhouse or workhouses as may have been or may be provided for the reception and maintenance of the poor of such union, adequate relief cannot be afforded therein, or that the workhouse or workhouses of any union, by reason of fever or infectious disease, is or are unfit for the reception of poor persons, or that by reason of the dilapidated, damaged state of such workhouse or workhouses, suitable accommodation cannot be afforded therein for the destitute poor, it shall be lawful for the said Commissioners from time to time by order under their seal to authorize and empower the guardians of such union, for any time not exceeding six months from the date of such order to administer relief out of the workhouse to such destitute poor persons applying for relief as cannot be received and maintained in it; and on receipt, by the guardians of any union, of any such order, they shall make provision for the relief of the destitute poor persons of said union accordingly, for such time as shall be specified in said order; provided that all relief given out of the workhouse, under the authority of any such order, shall be given in food only, save as hereinafter provided in any case of sudden or urgent necessity; provided also, that it shall be lawful for the said Commissioners to revoke such order, at any time within the period for which the same may have been issued, or to renew the same from time to time, so as to extend the period of its operation as the circumstances of the case, to be specified in such order, may require.'"

Earl GREY said, the substantial difference between the Amendment and the principle of the Bill as it at present stood was, that the noble Earl would prevent any relief to the aged and sick poor being given out of the workhouse, so long as the workhouse was available; and he (Earl Grey) thought this limitation should be confined, as in the Bill, to the able-bodied poor. He wished, therefore, that the House would not agree to the Amendment.

Amendment put, and negatived.

Several Amendments were made consequent on the Amendment introduced by Lord Monteagle having been struck out.

The Earl of LUCAN then moved the following clause:—

"And be it enacted, That for the purpose of charging the expense of relief to any electoral division, no person shall, after the passing of this Act, be deemed to have been resident in such electoral division, unless, during the three years before his admission into the workhouse, or his receiving any relief whatever, he has occupied some tenement within such division for thirty calendar months; or, if he have not so occupied some tenement, have usually slept within such division for the period of thirty calendar months."

The Marquess of LANSDOWNE was understood to assent to the clause, on the words "for the purpose of charging the expense of relief to any electoral division" being struck out.

A conversation then took place, in which Lord Monteagle, the Earl of St. Germans, Lord Campbell, and Lord Stanley took part, and the clause was ultimately agreed to.

Lord STANLEY again moved the clause which he had brought forward in Committee, but subsequently withdrew, respecting the non-deduction of rates from rent due to landlords.

Clause negatived.

Lord MONTEAGLE then moved the following clause:—

"And whereas the payment out of the poor's rate of rents due, or which may at any time hereafter become due, from destitute persons receiving relief under this Act, or the herein-first before recited Act, or the payment of wages or in aid of wages to such persons out of any monies which may be advanced, raised, or expended under any Act for the relief of the destitute poor in Ireland, is an abuse which should be prohibited by law and punished; be it further enacted, that it shall not be lawful to any board of guardians, or relieving officers, or any persons on their behalf, to pay to any destitute person receiving relief under this or the herein-before-recited Act any sum, or to pay for the account or advantage of such person, any sum, out of monies advanced or levied for the relief of the destitute, in satisfaction of any rent for which destitute persons are or may be liable, or in aid of the wages of labour which such destitute person is receiving or entitled to receive; and that if on the audit of the accounts of any union, it shall be proved to the satisfaction of the auditors, that any relief shall have been given contrary to this enactment, any sum charged for such relief shall be struck out and disallowed from the said accounts, in the manner as is now provided in respect to any other payment made contrary to law: provided always, that nothing herein contained shall prevent the relieving officer from giving provisional relief in cases of urgent necessity in lodging, until the next meeting of the guardians, in the manner herein-before provided."

Earl GREY, while he admitted the correctness of the principle laid down in the clause, thought it would be impossible to carry it out in practice. To attempt it would be carrying legislation beyond its proper limits; and he thought it was a matter which should be left wholly to the discretion of the boards of guardians, who would no doubt take care to guard against abuses of the description referred to, which formerly prevailed to so great an extent in England. He must therefore oppose the proposition of the noble Lord.

Clause withdrawn.

House adjourned.

HOUSE OF COMMONS,

Friday, May 14, 1847.

MINUTES.] PUBLIC BILLS.—2° British American Land Company; Van Diemen's Land Company.

Reported.—Turnpike Roads (Ireland); Lunatic Asylums (Ireland).

3° and passed:—Towns Improvement Clauses.

PETITIONS PRESENTED. By Mr. Barkly, from Proprietors, Planters, Merchants, and others, interested in the Colony of British Guiana, respecting Drainage.—By Mr. Heathcoat, from the Tiverton Temperance Society, against the Use of Grain in Breweries and Distilleries.—By Lord Rendlesham, from Kirton (Suffolk), in favour of the Rating of Tenements (No. 2) Bill.—By Mr. E. Denison and other hon. Members, from several places, in favour of the Agricultural Tenant-Right Bill.—By Mr. Macaulay, from John Quail, M.D., a Member of the Royal College of Surgeons in London, for Settlement of the Claims of the British Auxiliaries (Portugal).—By several hon. Members, from a great many places, for Regulating the Qualification of Chemists and Druggists.—By Mr. Spooner, from Birmingham, for Consideration of the Currency.—By Mr. Bagot, from several places, against, and by Mr. Brown, from Catholics of Little Crosby, for Alteration of, the proposed Plan of Education.—By Mr. Barclay and other hon. Members, from several places, in favour of the Health of Towns Bill.—By Mr. E. Ellice, from Managers of the Burgh of Kilmeny, and from the Provost, Magistrates, and Council of the City of St. Andrews, in favour of the Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland); Transference of Land (Scotland); Service of Heirs (Scotland); and Crown Charters (Scotland) Bills.—By several hon. Members, from a great many places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Sir J. Hanmer and other hon. Members, from numerous places, against the Repeal of the Navigation Laws.—By Sir B. Hall, from Officers connected with the Administration of the Poor Laws in England and Wales, for a Superannuation Fund.—By Mr. P. Scrope, from Owners of Pauper Houses in the Borough of Cork, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. H. Drummond, from Noblemen, Justices of the Peace, and Commissioners of Supply, of the County of Perth, for Exempting Scotland from the Railways Bill.—By Mr. E. Ellice, from Members of the Kirk Session of Anstruther Wester, against the Registering Births, &c. (Scotland); and the Marriage (Scotland) Bills.—By Lord Rendlesham, from Kirton (Suffolk), for Alteration of the Law of Settlement.

RESTRICTIONS UPON RAILWAY SPECULATION.

MR. HUME rose to move the following Resolution:—

"That in every Bill to enable a Railroad Company which, by any Act or Acts of Parliament, is now authorized to construct, purchase, or take on lease any Line or Lines of Railroad to raise additional capital by shares, loan, or mortgage, for the completion or extension of such Line or Lines of Railroads, or for the purchase, or taking on lease, or amalgamation with any other Railroad or Canal, a Clause shall be introduced, providing that the Company shall not raise such capital until it has realized the whole of the capital which by existing Acts it is authorized to raise, or so much thereof as is sufficient for the completion of the works, or for other objects sanctioned by Parliament."

This Motion he proposed with a view to putting an end to the practices commonly adopted by railway companies, who, having obtained power to raise capital, whatever the amount might be, ought not to be at liberty to apply for a second credit to raise additional money until the first credit was exhausted. He wished to compel every railway company to call up the whole of its first credit before it attempted to raise additional capital by other means. Speculation in railways was now extending itself to such a degree as to place in danger all the institutions of the country. He could not have believed, indeed, that railway speculation could have been carried out in so reckless a manner as it had been. There was no correct account of the amount sanctioned by Parliament to be raised within the last two years. A return, however, made to an order of the House of Lords, gave an account of the capital stock authorized to be raised during that period; and, although the aggregate of this amount was enormous, yet he found that the London and North Western, the Manchester and Leeds, the Midland, the Manchester and Bolton, the North Wales, and several other railways, made no return, and their names did not appear in the tables before him. Within the last two years the aggregate amount authorized by Parliament to be raised as capital stock was 124,586,054*l.* The total amount actually paid up was 28,320,023*l.*, and the amount left to be paid was 96,266,031*l.* The amount authorized to be borrowed under these Acts was 40,305,093*l.* It was impossible to say what amount would be laid out in railways this year and next under the Acts passed; but an estimate had been made by an intelligent man, who said that all the capital sanctioned under the Acts passed during the last two Sessions ought to be laid out by the end of 1849 or the middle of 1850. The expenditure on account of railways could not be much less than the immense amount of 1,250,000*l.* per week. A return, No. 168, of the present Session, signed by Frederick Bruce, Secretary to the Railway Commission, placed the amount of capital proposed to be raised by Railway Bills introduced during the present Session at 82,553,150*l.*, which with 41,000,000*l.* authorized to be borrowed, made a total of 123,867,259*l.* proposed to be expended on railways by Bills brought in during the present Session. This sum, added to the 164,000,000*l.* authorized to be raised and borrowed by the Bills of the last two Sessions, made an aggregate sum which it was frightful to look at. No doubt a good many of the Bills lodged with the Railway Board at the be-

ginning of the present Session had since been thrown out. But still, looking at the immense amount which remained, the danger which threatened the manufacturing interest, and the reckless manner in which the money was proposed to be raised, he did not believe that the country would be able, if these railways were constructed, to borrow money to carry on any of the ordinary operations of commerce. A large portion of the capital of this country was based on credit, which had been so shaken, that it would be almost an act of self-preservation to put an end to any further advances on account of railways. It was, at any rate, the duty of the House to put as strong a check upon this expenditure as possible. If they allowed it to proceed, it would endanger the credit of the Exchequer itself, for the Chancellor of the Exchequer could not flatter himself that the returns for the next October and December quarters would be equal to those of the last two quarters, and then his right hon. Friend would be compelled to have recourse to extraordinary means. It was not right for the Government to depend upon any bank for money wherewith to pay the public dividends. At this moment they were liable to have an expenditure of about 300,000,000*l.* during the present year on account of railways—an amount perfectly terrific. The country was now placed under peculiar circumstances, in consequence of the famine in Ireland, and the abstraction of capital to the amount of 10,000,000*l.* for food. Taken in connexion with the high price of corn, he did not believe that all the accumulated power of the country would be able, at the end of the year, to realize capital to warrant so large an investment as he had mentioned. It would have been better if the House had interfered last year; but it was bound under the present circumstances of the country to lose no time in averting the evil. It was said that gold was returning to this country; but the House could not calculate that any large amount would be placed to the credit of this country. The irregularities committed by the directors of many railways deserved notice. He had in his hand a Liverpool share list, dated May 6, from which might be seen the complicated manner in which the affairs of railways were kept by the creation of various kinds of shares. Many of the railways had from six to twelve different descriptions of shares, and it was utterly impossible to understand what ought to be intelligible to every one. He, from practice, could look into accounts as well as most of his neighbours; but he confessed that the railways quite beat him. If a railway were estimated to cost 1,000,000*l.*, and half the sum were paid up, the company had liberty to borrow one-third of the amount, or 33 per cent, wherewith to complete it. If they were desirous to extend their line, and they wanted another million for that purpose, he was anxious that the company should be compelled to call up the balance of the first million before they proceeded to raise money for the second undertaking. In the same manner he proposed that no company should be allowed to lease or sell any other line until the whole capital should be subscribed and one-half paid up. The South Eastern Company, besides their first capital and their bond debt of one-third, had four supplementary capitals, numbered in the share lists as Nos. 1, 2, 3, 4. Each capital was represented by shares of varying amounts, so that No. 1 was a share of 32*l.*, which, when paid up, would reckon as a 50*l.* share; No. 2 was a share of 33*l.* 6*s.* 8*d.*, to be reckoned as 50*l.*; No. 3 was a share of 30*l.*, to be reckoned as 50*l.*; and No. 4 was a 15*l.* share, to form a half 50*l.* share when paid up. On No. 1, 20*l.* was paid; on No. 2, 12*l.*; on No. 3, 15*l.*; and, on No. 4, 5*l.* was paid up. The London and North Western had also three or four capitals of a supplementary description, and the London and South Western had two or three; but these latter were now called up. Why should Parliament allow all this complication of shares and capitals to take place? Why did not the companies, before they called a second loan, pay up all the first? In the share list to which he had alluded, he found that the London and North Western Railway had ten different descriptions of capitals, and the Midland no less than twelve. In a report of the Commissioners on Railway Bills, they stated with regard to the South Eastern Company, that, by twenty Acts of Parliament passed since 1836, that company received power to raise a capital of 6,415,033*l.*, and to borrow 2,218,710*l.*, making finally a capital stock of 8,633,743*l.* The South Eastern Company applied for eight additional Bills in the present Session, which, if passed, would give them power to raise additional capital to the extent of 3,025,750*l.*, and to borrow 1,007,810*l.* Before this power was given, why should not the balance upon their former shares be called up? The bor-

rowing transactions of this company had amounted to 2,014,177*l.*; of which 1,348,844*l.* had been obtained on mortgage, and 665,333*l.* on loan notes. For the capital required for six of the Bills, viz., 1,990,000*l.*, subscription contracts to the amount of three-fourths of the different sums, each signed by eight directors, had been deposited, each director having thus signed to the amount of about 186,000*l.* Now, Parliament clearly intended to have the security of *bonâ fide* men; but it was clearly understood that these directors had only signed on behalf of the company, and this was a manifest evasion of the rules of the House. What Parliament wanted was, not paper men, but bullion men. The deposit of 10 per cent, which the House required, had, it appeared, been paid out of the funds of the company; and the directors were not to be called upon for the sums for which they appeared as liable under their contract deeds. The report of the Railway Commissioners stated that the Glasgow, Paisley, Kilmarnock, and Ayr Railway had, in a similar manner, evaded the intention of the Legislature. They were authorized to raise 1,916,500*l.* of capital, and to borrow 638,066*l.* They had issued 86,557 shares of 50*l.*, 40*l.*, 12*l.*, 10*l.*, and 25*l.*, by which means 1,222,487*l.* had been already raised, and there remained 1,332,062*l.* to be raised. The company had borrowed 622,365*l.* upon loan, and they had paid off in part 304,290*l.* Under the Act 9 and 10 Victoria, the Kilmarnock and Troon Railway was leased to the Glasgow, Paisley, Kilmarnock, and Ayr Railway Company for 999 years; and the Glasgow, Dumfries, and Carlisle Railway Company, and the Glasgow and Belfast Union Railway Company, were also incorporated with the Glasgow, Paisley, Kilmarnock, and Ayr Company. The Glasgow and Ayr Company had subscribed 96,929*l.* to the Glasgow, Dumfries, and Carlisle Railway, 4,911*l.* to the Paisley and Renfrew Railway, and 7,900*l.* to the Paisley, Barrhead, and Hurlet Railway; and the subscription contracts deposited by the former company, in compliance with the Standing Orders of that House, for seven of the Bills promoted by that company, had been signed by ten directors and one officer of the company for 2,300,000*l.* in sums varying from 30,000*l.* to 267,000*l.* The whole subscription of the company was only 1,500,000*l.*, and yet here were eleven persons subscribing 2,300,000*l.* in sums of from 30,000*l.* to 260,000*l.* Now, although his countrymen were said to have some brass about them, this exceeded all he had ever heard of them. The Glasgow, Dumfries, and Carlisle Railway Company was incorporated in 1836, and was authorized to raise a capital of 1,300,000*l.*, and to borrow 433,000*l.*, making together 1,733,000*l.* The subscription capital was created by the issue of 52,000 shares of 25*l.* each, upon which a call of 5*l.* a share had been made, and 243,000*l.* received, 17,000*l.* remaining to be paid on the calls. The subscription contracts for three of the Bills promoted by the Glasgow and Carlisle Company had been signed on behalf of the company by eight directors and the secretary; the directors having each signed for 174,000*l.*, and the secretary for 168,000*l.* The paid-up capital of the Glasgow, Paisley, Kilmarnock, and Ayr Company, amounted at present to 1,222,487*l.*; that of the Glasgow, Dumfries, and Carlisle Company, 243,000*l.*; making together the sum of 1,465,487*l.* The amount proposed to be raised by capital and loans under the Bills of this Session was, in the case of the first of these companies, 3,532,500*l.*, and in that of the other, 2,866,600*l.*; being together, 6,399,100*l.*; and the only guarantee offered for this large increase of capital was the subscription of the directors to the contract deed on behalf of the company. He was sorry to find that the nefarious proceedings—for he could apply no other term to them—of these companies had been assisted by some of the chartered banks of Scotland. When that House required a deposit of 10 per cent on the amount of the subscription contract from all English and Scotch railways, it was thought by some persons that it was very hard upon the Scotch people to compel them to send their deposits to London; and it was therefore enacted, that in Scotland the deposits should be paid into the Court of Exchequer, or into any chartered bank, in the name of the Queen's Remembrancer. The Commissioners observed, that it had been stated that the Parliamentary deposits had not, in these cases, been paid out of the funds of the companies, but that they had been paid by the directors themselves; and on inquiry they found that—

> "The funds out of which the deposit was made were raised by the individual subscribers, and were advanced on their personal responsibility by the National Bank, to whom they granted bills for the amount."

This, then, it appeared, was the mode in

which the public were deceived. On this subject the Commissioners made the following remark:—

"Whatever may be the precise state of the facts in this case, it has occurred to the Commissioners, in considering the transaction, that there is some reason to fear that, under the present practice in Scotland, means might, in some cases, be found of evading the Standing Order which requires a deposit to be made of 10 per cent on the amount of the subscription contract."

Since this opinion was given by the Commissioners, it had been stated as a fact that the chartered banks had, in some cases, transferred the amount required to the name of the Queen's Remembrancer, on the payment of a per centage. The Commissioners stated that in England the money was required to be deposited in the Bank of England, in the name of the Accountant General of the Court of Chancery; and he (Mr. Hume) did not think his hon. Friend near him (Mr. Pattison) would sanction a receipt being given for money by that Bank unless it had actually been paid. [Mr. PATTISON: Certainly not.] The Commissioners further stated—

"In Scotland it is required to be deposited with the Court of Exchequer, and may be paid into any chartered bank in the name of the Queen's Remembrancer. At the end of the Session, on the production of a certificate, either that the Bill has been passed, or that it has been rejected, the money is to be returned to the depositors. There can be no doubt that the Directors of the Bank of England usually require either the actual payment of the money, or the deposit of an equivalent Government security, as allowed by the Act. But, supposing that the directors of one of the chartered banks in Scotland—on the application of the promoters of a railway, and on the payment of a commission and the deposit of a bill, or otherwise—consent to place the required sum to the credit of such promoters in their books, and then to transfer it to the name of the Queen's Remembranber of the Court of Exchequer, it is evident by this means the object of the Standing Order would be evaded, as no money would be required to be raised. In fact, the whole transaction would be merely nominal, as the Bank would, from the first, have reason to be perfectly secure that the money could never be called for, and at the end of the Session they would return the Bill and close the account."

There were some other matters connected with these companies to which he might think it his duty on some future occasion to call the attention of the House, but he would not enter into them at present. Here they had two companies, figuring not very creditably, from the mode in which they had attempted to evade the rules of that House; and he thought no one would defend the conduct of the National Bank of Scotland, which had enabled them to effect that evasion. But he would now call the attention of the House to another report of the Commissioners of Railways with regard to several projected railways in the neighbourhood of Bury St. Edmund's. This case, he thought, was stronger than the one he had just mentioned, and the facts were these: the Ipswich and Bury St. Edmund's Railway Company sought to obtain six Bills, by which they proposed to obtain power to increase their capital to 2,150,000*l.*, and to borrow 716,664*l.*; making their total capital upwards of 2,800,000*l.* Now, he would ask the House to consider in what condition that company was to apply for these six Bills? By the Acts of 1845 and 1846 the company was authorized to raise 950,000*l.*, and to borrow 316,666*l.*; making together 1,266,666*l.* The share capital had been created by the issue of 16,000 shares of 25*l.* each, under the Act of 1845; and by the issue of 22,000 shares of the same value under the Act of last Session. On those first issued, calls to the extent of 14*l.* per share, or for 224,000*l.*, had been made, and 204,305*l.* received; and on the shares last issued, 5*l.* per share, or 110,000*l.*, had been called for, and 91,700*l.* had been received. The whole capital called up, therefore, was 334,000*l.* No money had been borrowed under the Act of 1846. The power of borrowing had been exercised under the Act of 1845. The company had at present power to call up 616,000*l.* on the shares, and to borrow 183,333*l.* The subscription contracts for these Bills, deposited in compliance with the Standing Orders, had no signatures attached except those of thirteen directors of the company. The amount of those subscription contracts was 1,612,500*l.*, so that each director had on an average signed for 124,000*l.*

"It is admitted," observed the Commissioners, "that those directors have not signed on their own account, but only on behalf of the company, and with a distinct understanding among themselves that they are never to be called upon for any portion of their subscriptions, and that the proposed new works are not to proceed unless the funds can be procured from other sources. It is also stated that the deposits required by the Standing Orders were paid for out of the funds of the company."

The Commissioners then went on to say—

"Under these circumstances, they seek powers from Parliament in the present Session to raise an additional capital of 2,150,000*l.*, and loans to the amount of 716,600*l.*; making together 2,866,664*l.*, a sum little short of ten times the amount of capital which the shareholders have at present contributed towards the hitherto un-

complete undertaking authorized by their former Acts."

Now, he (Mr. Hume) would ask the House whether such a state of things as this ought to be permitted to exist? He would be extremely sorry if any resolution adopted by the House on this subject should subject any honest railway companies, which had real capital, to inconvenience; but he considered that any measure taken by the House must be general in order to be effective. The Commissioners, alluding to the application of the company for powers to raise an additional capital of 2,150,000*l.*, observed, at the conclusion of their report—

"In addition to the important considerations regarding the interests of the public which are suggested by such a proposal, the interests of the present creditors of the company appear to be very materially concerned in it. They have lent their money under the sanction of an Act of Parliament, on the security of a comparatively limited undertaking; but by the present proposal they evidently would find that security involved with undertakings of a much more extensive character, which, of course, could not have been contemplated by them at the time when they lent their money on the credit of the original works."

He might adduce other examples of the same kind, but he thought those which he had mentioned would at least induce the House to pause before they passed any other Railway Bills. This step might seem harsh towards some companies; but it appeared to him most important that some measure should be taken to check the system he had referred to. He thought, under the melancholy circumstances in which Ireland was now placed, and considering also the high price of food in this country, and the difficulty manufacturers experienced in carrying on the manufactures which employed vast numbers of the people, that utter ruin must ensue if they allowed men to indulge in these wild speculations after the statements made by the Commissioners. He could scarcely have believed that such transactions as he had detailed could have been carried on so openly as they had been. He was not acquainted with any of the persons engaged in those transactions, but he strongly condemned the system; he considered Parliament most blameable for permitting its existence; and if they allowed its continuance they would be responsible for the consequences. He considered that the proposition he was submitting to the House was so fair and moderate, that no serious objection could be raised to it. The hon. Gentleman concluded by moving his resolution.

MR. J. A. SMITH rose to second the resolution, and said: Sir, I think the House is under great obligation to the hon. Member for drawing attention to this subject. It is not my intention to follow the hon. Gentleman through that long catalogue of errors, of mistakes, or of misconduct, which he has charged against sundry railway companies; but it appears to me that the hon. Member has shown that there is a state of things existing with regard to railway legislation at present which demands the most serious attention of the House. I think, also, that if the statements of the hon. Member for Montrose are correct, he has not gone far enough in his Motion; and, without intending to raise that question which has so lately and so justly received the attention of the House, as to the cause of the existing monetary distress, I think no one will deny that a strain upon the capital of the country, occasioned by the necessary payments upon railroads, must form a most important subject for consideration at the present moment. I therefore hope that the resolution proposed by the hon. Member for Montrose may elicit from the House and from the Government some opinion as to the propriety of proceeding with the Railway Bills now before Parliament. It does not appear necessary with this view that I should go into the question of the misconduct of the railways to which the hon. Member for Montrose has adverted, or of that misconduct which the hon. Member has, or rather the Commissioners of Railways have, charged against some of them. It is enough for me to bear in mind, that the amount of capital still to be paid in respect to railways, under Acts of Parliament passed during the last Session, exceeds 96,000,000*l.*, and that, in the present Session, powers have been asked by Bills before Parliament to raise capital the amount of which exceeds 47,000,000*l.* [An Hon. MEMBER: 82,000,000*l.*] Well, 82,000,000*l.*; I thought it had been 47,000,000*l.* In the present state of the country, with the vast calls necessarily made upon us for the supply of food for the population, and with the uncertainty which must attend the future, it is most seriously deserving the attention of the House and the Government whether it is not now time to stop. No person, I hope, will charge me with being unfavourable to railways, or with being insensible to the

vast social benefits accruing from them. Still less am I unaware of the vast saving they produce in the commercial transactions of the country. Nothing is further from my intention in anything I may state than placing any obstacles in the way of the reasonable, rational, and proper progress of the railway system. But I conscientiously fear that the capital of this country, in the present state of affairs, cannot bear any such extreme and excessive strain as that to which it is now exposed; and I do most earnestly hope that, without perhaps extending to all railway projects an entire stoppage this year—making, I mean, such exceptions as the public wants and requirements in certain cases may justify—yet, I repeat, I earnestly hope that the House will consider whether, with the reservation I have mentioned, the Railway Bills now before Parliament ought not to be suspended for this Session. I do not think I should be justified in saying more on the present occasion; but I hope that the few words which I have spoken will answer the purpose—the only purpose—I have in view, which is to draw from other hon. Members an expression of opinion on this important subject, and to induce also the Govenment to state what their feelings, opinions, and intentions are, on a point which concerns not only the welfare of the public at large, but the real and well-considered interests of the railways themselves.

Colonel SIBTHORP was always consistent in the course which he had taken with regard to railways, and would therefore support the Motion. He was quite aware of the nefarious transactions which had been carried on by railways; and he would ask why it was that the hon. Member for Montrose had not come forward earlier and joined him in his efforts to restrain the tide of railway corruption? He had always foretold what would happen—but even at the eleventh hour let them attempt at all events to render the system fair and aboveboard.

Mr. HUDSON was not about to follow the hon. Gentleman the Member for Montrose through all the details which he had offered to the House on the effect of railways upon the currency of this country. During the course of the evening there would be a more fitting opportunity for the discussion of that question. Still, he was anxious to say a few words on the Motion which had been submitted to the House. During the speech of the hon. Gentleman opposite, he certainly had sat under some fear and trembling, that, considering the large amount of capital, and the great extent of railway mileage, entrusted to his (Mr. Hudson's) care, the hon. Gentleman might have pointed out some extensive errors and faults in his system of management. He had, however, been relieved to find that nothing of the sort was attempted. He would, then, simply address himself to the general principle of the measure. The object of the hon. Gentleman's Motion was to stop the outlay of capital upon railroads— [Mr. Hume: No, no!] Or to put some limitation upon it. [Several Members: No, no!] That, surely, was the object of the seconder of the Motion.

Mr. J. A. SMITH explained, that he had not said one word as regarded the outlay on railways now established, or empowered by law to be constructed. His observations had reference to the expediency or inexpediency of granting at the present moment fresh powers by law for the raising of capital for that purpose.

Mr. HUDSON: Or, in other words, to allow those districts which had obtained railway communication to continue to enjoy a monopoly, and to doom those districts which were now ready with their money for the construction of railways, to remain under the disadvantages which now pressed upon them in consequence of the want of those means of communication. That was the object of the Motion. The money of the railways was expended on the labour and the property of the country; and if Parliament were to interfere in the matter, it ought in consistency to carry out the principle. Might it not just as well interfere in other branches of industry, and say, "You shan't construct a certain number of houses in London—you shall not embark your capital in new iron works, collieries, or other similar undertakings?" Why, by pursuing such a course, they would put a stop to the trade of the country altogether, and throw multitudes now enjoying a comfortable competency into a state of hopeless poverty and distress. He contended that the people of this country had a right to dispose of their capital as they pleased. He might lay out his in one way—his neighbour might dispose of his in another. But what was the result of employing capital on railroads? Why, the fact was, that the railroads of the country employed a greater number of people than the manufacturing districts

did. From a return which he held in his hand, it appeared that there were upwards of 50,000 men employed upon the lines over which he had the honour to preside—50,000 men receiving good wages. If hon. Members meant to say that money should not be applied in that way, let them declare so by a direct vote; but let them not by a side-wind, like the present Motion, endeavour to obstruct the flow of capital in respect to the construction of railways. He thought that the proposed resolution was open to many grave and serious objections, though it would not affect any company with which he was connected. In reference to different classes of shares, he stated that in the course of operations those different classes were necessarily called into existence, and were afterwards consolidated into stock; and he thought that there was no difficulty in keeping an account of that kind. The hon. Member for Montrose had made some strong observations on the course which certain railway companies had pursued; and he (Mr. Hudson) confessed that he had seen with some alarm the mode of proceeding adopted by some incipient companies with no funds. But that was the fault of Parliament in enabling those companies so to act. It was not the fault of the railway system, and Parliament had perfect power to check such proceedings. He had seen Committees passing Bills which perfectly astonished him; but he might have been told, for any remonstrance which he might have made, that he was an interested party—that he was connected with other lines—and that it was his interest to prevent competition. But there was a higher interest than a merely personal one, and he trusted that he had kept that in view—namely, the desire to place those undertakings on a solid foundation, and to induce people to invest money in this country rather than in any foreign schemes. The fault was, that Parliament had not properly looked to the financial condition of the different parties applying to them. He thought the proposed resolution required a great deal of consideration as to whether it should be adopted or not; and at a future period he trusted to be able to convince the House that the employment resulting from the railway system enabled people to live better. It then became a serious consideration whether or not they would stop legitimate undertakings. Consider what an amount of saving had been effected by the railway system in favour of the manufacturers, the poor, the farmers, and all classes of society. Railways could not be constructed unless money were collected for the purpose; and why should this money be deposited in banks, rather than expended in useful undertakings? If there had not been railways, the money of the people might have been expended in wild schemes, or invested in some profitless South American bonds, instead of being expended in this country; the amount laid out on railways during the last two years being 40,000,000*l.* The monetary difficulty of the country was not owing to the railway system, but to bad harvests; and if there had been good harvests for the last two years, he believed that there would be now no monetary difficulty.

Lord HARRY VANE explained that neither the hon. Member for Montrose nor the honourable seconder of the Motion had objected to continuing the operations on railroads already constructed; neither did they wish to put any barriers in the way of the legitimate flow of capital towards railroad enterprise. The hon. Member for Sunderland admitted that he wished to see none but legitimate undertakings receive the sanction of Parliament; and it was with this view also that the hon. Member for Montrose had proposed his resolution. For his own part, he did think that some restraint over and above those already applied, was necessary. The amount of capital proposed this year to be raised by several of these railway companies was of a most startling kind. With respect to the tribunals to which the Bills were submitted, he thought it impossible that any one of the various Committees should be able to decide on the question of capital, inasmuch as these different proposed lines were placed in different groups. These Committees might be left to judge of the merits of the different schemes, and the question of capital might be referred to a Special Committee, to report whether the undertakings were within the intentions of Parliament. The question to be decided was, whether Parliament would allow companies without any direct funds, by means of their directors, to sign for large sums to be raised nobody knew how, in order to get possession of certain districts of country. Some such regulation as that now proposed was absolutely necessary in the financial state of the country; but perhaps this regulation would hardly be sufficient. It was a most objectionable thing that the House sanctioned, when it allowed interest to be paid

upon calls. It might be impossible to alter the system with respect to schemes already passed; but with respect to all now before Parliament it would be highly desirable that it should be declared, that the parties would not be allowed to take interest on the calls proposed to be made. That would be a legitimate mode of interposing.

Mr. ELLICE felt that the statement just made by the noble Lord, corroborated all that he had endeavoured hitherto to impress upon the House. This great question of the construction of railways, and the investment of enormous capital in them, had been abandoned by the authority which ought to have controlled it—the Government of the country—and thrown loose upon the discretion of Committees consisting of a few Members of the House, differing in opinion with respect to the principles upon which they should make their report. All the subjects now under discussion were considered by the Committee of which he was chairman last year; but they felt it quite impossible—a Committee of five—to decide upon important questions involving interests which affected large classes of the people. The Committee reported distinctly to the House, however, the facts which had come before them; facts perfectly astounding; transactions which he could not individually have sanctioned; and the Committee reported their recommendation that some general rules and principles should be adopted for the guidance of Committees, which recommendation remained a dead letter upon the Table of the House, and was utterly neglected by the late Administration, and he was afraid he must add by the present. He took especial pains, when that report was laid on the Table, to call the attention of the right hon. Gentleman opposite, the then Vice-President of the Board of Trade (Sir G. Clerk) to the subject, by sending him a copy of the report, and expressing to him an opinion that it ought not to be laid on the Table, and the Bills to which it related read a third time, without some opinion being expressed by the Government upon the matter; but no notice whatever was taken of that communication, and no opinion was expressed upon the report. After the accession of the present Government, the attention of the President of the Board of Trade, under that Government, was called by him to these Bills, which had then gone up to the House of Lords; but he believed a communication was received from the Chairman of Committees in the House of Lords, to the effect that the Bills had then passed so far that it was too late to interfere. Surely, however, there were sufficient grounds laid in that report for some general recommendation to have been given to Parliament upon the subject this year. The report stated that it was impossible for any Committee to come to a decision upon questions affecting capital, and affecting the manner of raising money under these Bills, which questions might be decided by a different Committee in another way. In the beginning of this Session he thought it his duty, seeing that the system begun in the last and preceding Sessions was about to be persevered in, to call the attention of the House to the subject again; and as it was impossible, so various as well as contradictory were the details of the different Bills introduced, to know exactly those details, he prevailed on the House to arrange that every such Bill should be referred to the Railway Commissioners, in order that a report should be laid before each Committee, containing an account of all the monetary concerns of any company applying for other powers, and the opinion of the Board, not only with respect to the propriety of granting those powers, but with respect to the manner in which powers formerly granted had been exercised by them. It had been said that impediments had been thrown in the way of the progress of these Bills, by the Railway Commissioners not preparing their reports with sufficient expedition. He (Mr. Ellice) could perfectly understand the difficulties which must have been in the way of his right hon. Friend in the examination of such intricate subjects, and had understood from him that while the companies complained that impediments had been thrown in their way, those impediments had been entirely and always owing to their own fault; that they had been backward in many instances in sending in their reports at all, and that many of the reports had been found deficient upon inspection, and the Board had been obliged to send them back for correction; and, at last, when the Commissioners were able to make their reports, it was discovered that in almost every case there were certain transactions, which not only justified the House in remitting this subject to them for examination, but which absolutely required the Government to interpose, by laying down some general principle upon which the monetary con-

cerns of these companies should be regulated. As yet, however, the House had seen no such regulation. There was one subject which, whatever course might be taken with respect to other points, it was impossible to enforce too strongly upon the attention of the House. In almost every one of these cases—he believed, indeed, the exception was where an attempt had been made *boná fide* to comply with the Standing Orders with respect to capital—the general rule had been for the parties applying in this Session for extensions of their existing powers, or for powers to construct new railroads, to evade openly the Standing Orders of the House with respect to capital. Scarcely in any case had a subscription contract, signed by the parties, and binding them and their heirs and executors, according to the Standing Orders, been submitted to a Committee. Now, whatever course might be taken with respect to the Railroad Bills now before the House, whether those resolutions of the hon. Member were to be carried, or whether the Government desired to have an opportunity of reflecting upon what passed in the House that night—and it was a subject requiring reflection before any determination was taken—at all events, one decision ought to be come to by the House, that the spirit and intention of that Standing Order should not be evaded, and that no Bill should pass the House in future where there was not a subscription contract signed *boná fide* by shareholders having paid a deposit, binding their heirs and assigns to fulfil that contract; and that the House would no longer submit to directors nominally signing contracts, and taking money out of funds appropriated to other purposes, fictitiously to create a deposit for the purpose of new Bills. The case to which the hon. Member (Mr. Hume) called the attention of the House, with respect to the Scotch banks, had escaped his (Mr. Ellice's) attention; but anything so disgraceful or so monstrous he should have thought could not have been resorted to. With regard to the statement of the right hon. Gentleman opposite (Mr. Hudson), he entirely agreed in the great advantage of these stupendous undertakings to the country, and had never expressed an opinion unfavourable to them; there was no encouragement which he was not willing to give them, consistent with common prudence, and with the principles upon which such undertakings could alone proceed with security. And the hon. Gentleman who seconded this Motion must not be misrepresented; he did not propose to take any measure which should stop the progress of the works on any railway; and if it should so happen, unfortunately, that in consequence of the indiscretion of any companies and of excess of speculation, their means should fall short, and parties should be thrown out of employment, that must not be attributed to anything suggested by the hon. Member. The right hon. Gentleman had asked why we should obstruct or endeavour to regulate the application of capital to this pursuit any more than to others; and, on the general principle, he quite agreed with him, and indeed was an advocate for entire free trade, which he feared was more than the right hon. Gentleman was. But the right hon. Gentleman and his Friends came to Parliament for incorporation and for great powers to borrow money; and an individual could not come to Parliament to borrow money upon limited responsibility—that was given as a great act of favour, and an especial indulgence to these companies; and it was rightly given, in the first instance, to encourage these undertakings in the outset; but it was a very different question when the railroad undertaking had succeeded, and when it was no longer doubtful whether it would be a profitable investment for capital, whether Parliament should be so liberal in giving powers to these corporations to borrow money. He had been of opinion—and he was not sure whether he did not mention it to the right hon. Gentleman last year—that the proper check then would have been, while allowing these companies to raise as much capital as they liked, to carry into operation their great undertakings, to put a limitation upon their power to borrow money; and certainly a stop should be put to the practice, most injurious both to the subscribers and the public, of giving them power to pay interest out of capital. If those two restrictions had been made last year—if the power of borrowing money had been withheld, and the power of paying interest out of capital, before profit had been derived from the undertaking, a stop might have been put to nearly all that was an abuse in this system. The time had now arrived when the necessity of the case compelled the interference of the House; and that interference should take place as much as possible with the consent of the great railroad interests themselves. The right hon. Gentleman himself had admitted that he

had arrived at a conviction that we could not go on with the system as at present pursued. [Mr. HUDSON: I spoke only of the abuses of it.] A railroad system properly conducted must be allowed to be one of the most advantageous undertakings ever begun in this country; the only quarrel was with its abuses. The right hon. Gentleman admitted there were such. The Government must be aware that it was no longer possible to let this great affair loose upon Committees without some regulation to guide them; and the time was probably not far distant when the right hon. Gentleman himself would thank the Government for interfering. What he (Mr. Ellice) should recommend would be, that this debate should be adjourned, to give time for consideration as to the course to be pursued. The companies themselves were understood to be quite of opinion that something should be done with respect to the progress of the Bills this Session; and, after communication with the Government, some settlement of the question might surely be arrived at, which might give security to the shareholders and to the creditors of railways, that, going on at the present rate, would require such security, and which might also give some assurance to the public that these transactions would no longer be permitted so to interfere with the monetary condition of the country, as at all events to aggravate its difficulties at such times as the present.

MR. R. HODGSON considered that it would be very unjust if Parliament by a resolution at this period of the Session were to interfere with the progress of Bills which had complied with the Standing Orders. Let the House, if it pleased, communicate its sentiments to the various Committees, and induce them to throw out the Bills one by one upon their merits, if they could, but not put a wholesale stop to them without investigation. He should suggest to the hon. Member for Montrose the expediency of withdrawing the resolution. The impression of the hon. Gentleman in regard to railway companies was not consistent with fact; as in the instance of the Glasgow and Ayr Company, of which he (Mr. Hodgson) was himself a shareholder. The whole amount which that company was allowed to raise was 1,275,000*l.*; out of which 1,250,000*l.* had been paid. Did the hon. Member for Montrose mean to say that, a small balance yet remaining unpaid, that company should be precluded from applying to Parliament for power to extend its operations by the construction of branch lines?

MR. MANGLES thought it would be well to refer the question involved in the Motion to the consideration of a Committee before adopting any decided step regarding it. The object of every Member of that House must be to remove abuse, without interposing any check to legitimate enterprise. He thought there was some misunderstanding in the House with respect to the position of railway companies. The noble Lord the Member for South Durham had spoken of the difficulties which such companies had to contend with; but he was not aware that, generally speaking, there were any peculiar difficulties in existence. The noble Lord had spoken of the South Western Railway Company, and he was glad to see the chairman of that company (Mr. Chaplin) present in the House. That Gentleman was much better acquainted with the affairs of the South Western Company than he was; but this he could say, that, so far as the pecuniary affairs of that company were concerned, they were in the hands of the ablest financial men that he was acquainted with. He did not think that the right hon. Gentleman the Member for Coventry, in recommending that a limitation should be placed on the power to borrow money hitherto accorded to railway companies, had looked at the question in all its bearings. He must know that as regarded financial matters there were two classes quite distinct from each other. There were the capitalists who became shareholders, and who ran all the risks of the undertaking; and there were those who ran no risk, but who invested their money because they received from railway companies a higher interest than they could otherwise realize. He would ask what right the right hon. Member for Coventry or the House had to interfere with the free action of the parties possessed of capital, and who laid it out at interest with railway companies? Had the House heard any complaint from those parties of having been overreached or defrauded? He trusted the House would pause and consider well before adopting any such resolution as that now proposed?

MR. CHAPLIN begged, as one of the culprits arraigned on the present occasion, to express his conviction that their position, were it more intimately known, ought to secure for them the favourable consideration of hon. Gentlemen, rather than expose them to a vote of censure. There was

nothing, indeed, which he could desire more heartily than that hon. Members should have a twelvemonth's "spell" of duty as chairmen of boards of railway directors. Those concerned in the management were in a position which "patient merit" could scarcely bear. With regard to the South Western, they had at the outset to raise their capital at a very large discount, and they did not feel themselves justified in launching forth into new schemes like other more prosperous companies. When the hon. Member for Guildford invited them to form a branch line, they resolved to wait a year; but a separate company started the Richmond Railway, which they then purchased. The atmospheric line projected to Epsom was started under noble auspices, under the auspices of Earl Grey. And what had been the result? The papers were at this moment teeming with advertisements that it was now to be opened with locomotives. The company with which he was connected had from the commencement always evinced a desire to execute a line towards Exeter; but Lord Dalhousie's Railway Board thought, after due investigation, that the route might be dispensed with. In consequence of their report, the company withdrew their application, and resolved to delay till greater necessity for the line should be shown. What was the result? The inhabitants filled the place of the company, came forward with subscriptions, and commenced a project which the company would have had to take off the hands of its projectors. Again, with regard to a line from Richmond to Windsor, though they had been charged with going too fast, what was the real state of the case? Last year an atmospheric scheme was started, and also another scheme; and though both fell to the ground, it would be seen how circumstances tended to force a company into applications which, if left to itself, it would be disposed to delay. The South Western company had waited patiently, but were driven into the adoption of the line. There were many difficulties which railway companies had to encounter, for which, not the Government, but the Legislature might be blamed. Schemes and plans were produced, and the companies never from one day to another knew to what they might be subjected. There was one subject on which they did agree, and that was in hailing the prospect of grouse shooting; when hon. Gentlemen left their Committee-rooms and railway directors saw their backs the latter had some hope of repose. The hon. Member for Chichester (Mr. J. A. Smith) said he had not been concerned in railways; but it might be asked, whether he had taken part in the late loan? The Railways Bill of the hon. Member for Derby (Mr. Strutt) had not yet been disposed of; but it was most desirable that the House should come to a satisfactory understanding as to what should be done with regard to the Bills proposed this Session; for the want of some definite arrangement on the subject only weakened the confidence of the public in railway enterprise at a time when public credit was so much shaken. In conclusion the hon. Gentleman was understood to state that the effect of such a Motion as the present, if adopted, might be to jeopardize the whole railway interest; but he had no confidence while that House was sitting that measures having such a tendency would not be adopted.

LORD J. RUSSELL: I cannot think it would be wise in the hon. Member for Montrose to press his resolution in the present instance. It certainly appears to me upon any consideration I can give to that resolution, and so far as I can see the effects of it, that it would not be prudent for the House to come to a general resolution, expressed in strict terms, when the practical effects of such a measure cannot be before the House, and must in many instances be very inconvenient. I mean, inconvenient to the public at large. I take a case which was put by an hon. Member. There may be a branch line about to be made, and yet the main line may not be in such a state of completion as, having regard to all its expenditure, to be entitled to make that branch. Is it requisite that the operations in regard to the branch line should be suspended until the whole expenditure on the main line has been exhausted, and that the power of making that branch line should be given only to another independent company? I own I think that there might be practical inconveniences—that whatever its advantages the resolution has counterbalancing disadvantages—that it will not meet those very evils which have been pointed out with so much force by the hon. Gentleman himself. It might be expedient that the House should come to some further resolution, especially after what has been stated by the hon. Member for Sunderland; yet, I do hope we shall not fall into error, that from being too lax in giving our sanction to railway speculation we shall suddenly take an opposite

line; endeavouring to check a most advantageous and wholesome application of the capital of the country. I cannot agree with the hon. Member for Coventry (Mr. Ellice) if he says that a considerable time ago the House ought to have required measures to be taken for that purpose, and the late Government ought to have interposed and placed a greater control over railway enterprise. It appears to me that this is a speculation which requires the sanction of this House, and ought, therefore, to be the subject of debate and discussion in Committee; but the application of the capital of this country, the disposal of the surplus property of trade and commerce, is a matter entirely beyond the control of this House, and might take place quite independently of any resolution of this House. I remember the time, and it is not a great while ago, when I heard bankers complaining that they had a great quantity of money lying on their hands, for which they could not get two per cent. I remember also a further time, when there was a good deal of money sent to South America, when large sums were invested in the State stock of those not very honest and not very stable republics; that at other times great sums of money were invested in schemes for the improvement of certain harbours, canals, and various other public works in North America; and that, in some cases, our debtors in North America were not more prompt in answering the expectations of those who lent them money than in the South. If we had in the beginning interfered, and said we should put a check and a control upon railway enterprise, the consequence would have been, not that we should have prevented improvident speculation, but that improvident speculation would have taken another direction; and that some such wild and useless adventures as had been entered into in former times would have been entered into again—everybody lamenting that such improvident speculation should take place, but which, nevertheless, would have gone on without the sanction of this House being required. I do not agree in thinking that it should be a necessary consequence, that because a party comes before Parliament seeking its sanction to some enterprise, therefore Parliament should put a certain check upon the enterprise of that party. I think that that should be regulated by certain rules and regulations—for instance, no one will deny that in the case of a railway being proposed between Manchester and Liverpool, and it was evident that there was sufficient capital to execute it—no one would deny that such a railway should be made. There were other cases of less obvious importance, but still they might be such as to show that a railway ought to be made. But still it is possible there may be cases in which you may say that the capital of this country having been applied by Act of Parliament to a great amount to certain railway speculations, you are of opinion that certain other railway speculations should not be entered into, because the result would be that those speculations could not be carried into effect, and must end in the ruin of the persons who undertook them—that they could not be carried into effect without causing very great distress in the first instance, and probably would never be carried into effect at all. It appears to me that this course of argument should be listened to with great caution—that while you obviously cannot put a stop to other speculations, it is only with great doubt and caution you should listen to this argument for interfering with railway speculations. But cases have been put by the hon. Member for Montrose, and others by the right hon. Gentleman opposite (Mr. Hudson), both agreeing in the general statement, where this House and the other House of Parliament, by their laxity, have connived in some instances at the violation of the *bonâ fide* intentions of the Standing Orders of the two Houses—cases where in order to insure that only speculations of a *bonâ fide* character should be entered into, and that by persons who had capital to carry them into effect, certain conditions had been laid down—which conditions had frequently been evaded—that where 10 per cent has been required to be lodged in the Bank before applying to Parliament, there had not been 1 per cent so lodged. The right hon. Gentleman opposite mentioned a case where several millions had been engaged to be employed in a particular railway without the prospect of the parties having capital to the extent of so many thousands. Other cases had been mentioned where a guarantee had been given for the payment of interest on certain railways which had been undertaken; while at the same time they could not have paid 5*s.* per share. In cases of this kind it is fit that Parliament should be more strict and more careful than hitherto to put a check to such abuses. How that can most effectually be done, I

do not wish to give any opinion at the present moment. I think it, however, a matter which deserves the utmost consideration. It is sufficiently obvious, from the experience we have had that the mere appointment of a Select Committee of five Members of this House is not a sufficient security. It may be that each Committee sitting independently may feel that the responsibility does not rest with them, but on Parliament; and that, on the other hand, Parliament may consider that they need not trouble themselves on the subject, as the Committee had no doubt considered the matter; and that, therefore, between the two no proper investigation may be made. It is right, therefore, that we should endeavour to see that we have greater security against abuses than we at present possess. I shall end by saying, that I hope my hon. Friend (Mr. Hume) will not press his resolution. I do see very considerable objections to it. I do not say that, after the consideration of another day or two, I might not give my consent to the resolution as it now stands. It may be proper that, either by means of inquiry by a Committee, or by a resolution, we should take some further security for the proper regulation of railway enterprise; but I would say, that when we take further security for the proper regulation of railway enterprise, it ought not to be taken in the direction of checking the application of capital to railways. For my own part, I believe that they are very advantageous to the country—that their advantages are so great that we do not know at present what their ultimate end may be. They are very likely to have been profitable to those who have undertaken them, if, as the right hon. Gentleman has stated, a capital of 80,000,000*l.* has produced a return of nearly 9,000,000*l.* a year; but it is not with a view of checking this kind of enterprise, which I think highly beneficial to the country, and in which the individuals engaged in them may likewise gain a fair and profitable reward for their exertions—it is not with that view, but with the view which was indicated by the right hon. Gentleman the Member for Coventry (Mr. Ellice), namely, of cutting off and pruning the abuses—of checking the inroad of a spirit of wild speculation which always attaches itself to schemes of commercial enterprise—it is with that view, and not with the view of checking enterprise itself, that I am disposed to enter into any regulations on the subject.

Mr. W. R. COLLETT was glad to hear the recommendation of the noble Lord that the resolution should not be pressed—the more so because it was not necessary at the present time. It appeared there were few new projects on foot this year in England, still less in Scotland, and none at all in Ireland. The House had interfered with this question a little too frequently, and there was no knowing from one year to another what they were going to do about railways. Last year they had decided the narrow gauge should not extend beyond a certain degree southwards; but now this decision was evaded with impunity. He hoped they would hear no more of the threatened Railway Bill. The country had its hands quite full enough of railways at present—the banks were sick of them. He hoped the House would look with great caution before they encouraged more railways, but at the same time he trusted the resolution then before them would not be pressed.

Lord G. BENTINCK said, that his noble Friend (Lord J. Russell) had omitted one reason why they should not consent to this resolution, and that was, that its mover, the hon. Member for Montrose, and its seconder, the hon. Member for Chichester, both concurred in expressing great doubts whether the resolution was intelligible. He entirely concurred with them that it was totally unintelligible. He did not refer to the latter portion, which said that no railway company shall sell the line of any other railway company. He did not know that any company could propose to sell the line of another company. His remark referred to the main resolution itself. He understood that many other individuals did not understand the exact purport of that resolution; and he confessed, for one, that it was not intelligible to him. But he gathered from it that, for example, the line to Galway could not have been made unless the entire capital originally subscribed for the Midland and Great Western (Ireland) Railway had been paid up. The hon. Member had said something in his speech to the effect that no railway company should be permitted to enter upon a second credit until the first was exhausted. That was certainly a singular commercial proposition; for if a company had exhausted its credit, it would, he feared, find some difficulty in embarking in a fresh loan; and it was, therefore, somewhat unnecessary to provide for cases of this kind. The South Western Railway also would

never have been completed if that resolution had formerly been enforced. He apprehended that that company got into great difficulties; and if they had not had the power of raising new shares, they could never have proceeded with the works. When his noble Friend spoke of speculations in North American and Mexican mines, he might also have remembered the remarkable speculation of the Greek loan, in which the hon. Member for Montrose, he believed, had some shares. He thought it far better that they should leave speculation to take its own course in this country in the construction of railway works, and in the improvement of communication at home, than in throwing obstructions in the way of such schemes, and encouraging English capital to embark either in Greek loans or Spanish loans, in which he had reason to know this country had lost 70,000,000*l.* within twenty-five years. It was sometimes charged against him that he was a monopolist; but he thought the parties who introduced this Motion were monopolists. He was for free trade at home; there was something like class interest lurking here. The hon. Member for Chichester did not like to see the scrip for the new loan depreciated. [Mr. J. A. SMITH: I have nothing to do with the loan in any shape whatever.] He confessed that he, for one, considered that this inroad upon the free employment of capital invested in railways, had, in point of fact, in it a great deal of the spirit of monopoly; he considered that the resolutions would be exceedingly mischievous if they should in any way have the effect of checking speculations in railways, and sending capital abroad. He believed that a large quantity of English capital had lately been embarked in the Paris and Rouen Railway; that though 20 per cent was required to be paid up, the capital had been subscribed fifteen times over, in fifteen different companies, and that one half the constituency of each company consisted of English capitalists. He thought it far better that English capital should be employed at home, than that it should be embarked in French or any other foreign railways. He felt certain, that if they insisted upon imposing restrictions upon the outlay of English capital, the effect would not be to prevent people from speculating who had money to lend; for, so long as the interest of money was at no more than 3 per cent, which it was in August last, they might depend upon it that people would not be content with the 3 per cent Consols, but would seek to employ it where they would meet with a greater return.

The CHANCELLOR OF THE EXCHEQUER thought that the hon. Member for Montrose would do well to take the advice which had been given him to postpone the discussion. At the same time he thought the discussion which had taken place was likely to produce some benefit to the country, as well as to those who were interested in railways. From all parts of the House there had been a general concurrence of opinion, not only as to the advantages of railroads to this country, and as to the importance of investing capital at home in place of abroad, but there was also a general concurrence of opinion that, in the present system of railroad legislation, there were several abuses to which they ought to apply a remedy. The principal blame of these did not so much rest on railway directors as on Parliamentary Committees. Looking, then, at the question in the several aspects which it presented, he was sure that hon. Gentlemen generally would agree with him when he said that the House ought to turn its attention to the subject, with the view of devising some plan to obviate the difficulties which had furnished matter of complaint. It was true, that much consideration had already been bestowed upon the subject; but it was equally true that no practical good had yet resulted. Although he thought it would be exceedingly unwise to go to the full extent that some persons recommended, yet he could by no means omit to notice the attempts frequently made by many parties to evade the Standing Orders. There were two points before the House—one relating to the evasion of the Standing Orders, the other to the general principles of railway legislation; and he must take the liberty of saying that the manner in which some Committees had passed Railway Bills was exceedingly lax, especially when they so passed them in opposition to the reports of the Railway Commissioners. At the same time, he did not think it at all desirable that the Motion of his hon. Friend the Member for Montrose should be altogether abandoned; he did not desire to see it put an end to; he merely hoped that it would be postponed for some time. It must be regarded as most laudable, though at this moment it would, perhaps, not be expedient to press it. He, for one, would be quite willing at

a future time to consider the proposition which the hon. Gentleman had made. In the meantime, he thought it would be very advantageous if hon. Gentlemen would communicate with each other and with the Government; and the Government would, no doubt, be perfectly willing to lend its aid in carrying into effect any plan which afforded the prospect of remedying the evils that had given rise to the just and natural complaints that the House had just heard. He thought it might be advantageous to appoint a small Committee, and refer the whole question to their consideration. The resolutions which the hon. Member for Montrose moved might also be referred to such a Committee; but whether they adopted that course or any other, he recommended that the present discussion be postponed, either by adjourning the debate or withdrawing the resolutions, for a time.

MR. HENLEY defended the conduct of the Committees up stairs on the subject of those Scotch railways to which allusion had been made. The evasions of the Standing Orders had been allowed by the examiners, and not by the Committees; and the latter were quite justified in supposing, when those Bills came before them, that all the provisions of the Standing Orders had been duly complied with, or that they would have received a report to the contrary effect from the examiners.

MR. MORRISON observed, it was quite manifest that for some time past there had been in this country very large sums withdrawn from the purposes to which capital was ordinarily devoted, for the purpose of carrying out the various railway schemes which within the last few years had been projected. The sum of 28,000,000*l.* was required for railways, to be drawn from the floating capital of the country. The last two years had been years of business and saving; but the present was one of the least prosperous which had occurred for a considerable period. It was quite absurd to talk of their being able to construct one-half of the lines for which Bills had been obtained from the House. Whether they passed Bills to the extent of 500,000,000*l.* or 50,000,000*l.*, was now of no consequence. Vast sums of money had already been sunk, and the floating capital of the country had therefore been very greatly diminished. Unhappily, also, that capital yet remained unprofitable; and at the very time when that great amount of capital was withdrawn from the customary uses of trade and manufactures, a sudden and severe demand came upon the country to provide for the relief of Ireland; and he feared it would soon be necessary to make great sacrifices to relieve the people of England. No rational man doubted that the great extent of railways projected could never be executed. The thing was impossible, and at the same time absurd. Half the lines for which Bills had been passed could never be constructed. The House had chosen to confer certain privileges on certain railway companies, and the result was, that the employment of capital in those lines offered a larger amount of profit than the employment of the same capital in any other way; and if the parties engaged in railway schemes offered a greater interest than other speculators were willing to pay, it was obvious that money must rise in the market to a very high rate of interest, and then how were the manufacturers of the country to go on? The interest of the money employed as capital constituted the chief costs of manufactured articles—all small manufacturers carried on business by means of borrowed capital. He conceived that was a state of things which would soon demand from Parliament very decisive remedial measures; and it appeared to him that a remedy could only be found in preventing too great an increase in the sums paid for the use of capital; it would, therefore, he thought, be highly expedient to place such restrictions on future railways as would, by diminishing their profits, deprive them of all motive to pay large premiums for the use of capital. He rejoiced that the present Motion had been made; for he believed that the discussion would produce much good.

MR. HORSMAN observed, that the right hon. Member for Tamworth had, on a former occasion, urged the necessity of placing restrictions upon future railway companies; and every one knew that of late the demand for supplies of capital had become more pressing than ever. He understood that the Government were now about to take a course which he much regretted that they had not long ago adopted, and that was, to exercise an efficient superintendence over railway legislation. For the present, however, he thought that the hon. Member for Montrose could not do better than to withdraw his resolutions; at the same time, he thought that the discussion to which those resolutions gave

rise, would prove advantageous to the House and the country.

Mr. NEWDEGATE was not in the least disposed to deny that the amount of money invested in railways was enormously large, but he rose to protest against the doctrine propounded by the hon. Member for Inverness (Mr. Morrison). He thought it monstrous for any Gentleman to declare that the House ought so to cripple the profits, the transactions, and the movements of existing as well as future companies as to drive the capital into other channels. He thought that would be a most monstrous proposition from any one; but for the hon. Member, who professed himself to be a free-trader, to assert such a principle as that was beyond everything he had ever heard. He thought no honest free-trader could have propounded such a doctrine.

Mr. MORRISON explained that he did not refer to Bills already passed, and was surprised that the hon. Gentleman should have supposed that he could have intended his remarks to apply to existing companies.

Mr. NEWDEGATE understood the hon. Member to say that the only way to prevent so much capital being diverted from the manufactures of the country was for the Legislature to diminish the attractions of railways by preventing them from realizing such large profits. If he misrepresented what the hon. Gentleman had said, he begged his pardon; but he protested most strongly against the principle of interfering with the national investment of capital.

Mr. MORRISON again explained. He had said that the profits on railway capital should not be larger than on capital employed in any other way.

Mr. MITCHELL thought the loss of 20,000,000*l.* by the failure of the crops was an unavoidable evil, but one which the resources of the country could easily have borne, and he was therefore of opinion that the cause of the present distress was extravagant and improvident railway speculations. The fact was, that with the exception of that spent by the labourers in exciseable articles, by which the revenue was benefited, all the money laid out in railways was sunk, or at least taken from the working resources of the country. The whole of the capital was sunk, for there was nothing available but the dividend when the line was finished. What was the real operation of this loss of capital? Why, that the manufacturer was obliged to decrease his imports of the raw material. When a manufacturer was giving his order for the raw material in ordinary times, he reckoned that a bill of a certain date would be available, and gave his orders accordingly; but now he said to himself, "We have had the dire calamity of a failure in the crops, we have the expenditure of a million a week in railways, and this will make it difficult to obtain discounts;" and instead of purchasing his usual quantity, he only ordered one half. This was what every prudent man would do; and it would be found at the end of the year, all the imports of the raw material, by the manufacture of which the people were to be maintained, and the foreign corn dealer paid, would be shorter than was ever before known. So much alarmed were the merchants of London and the manufacturers of the country, that the House might depend no more would be imported than they were certain of having cash to pay for; and the only thing left next year to send in payment for the raw material would be railway scrip. Would the hon. Member for Sunderland (Mr. Hudson), or the noble Lord opposite (Lord G. Bentinck), guarantee that the countries from which they had to look for supplies of the necessaries of life, would take railway scrip? If they could not do that, he could not see how the raw material or supplies of food could be procured.

Mr. STUART said, that the hon. Member for Inverness was of opinion that in consequence of railway speculation manufacturers with a small or borrowed capital must suffer, and that that state of things ought to be corrected. The mode in which the hon. Gentleman proposed to reduce this mischief—and the hon. Member for Warwickshire (Mr. Newdegate) was not at all mistaken in what he stated—was by the interference of the Legislature — to bring down the profits of railways to a certain level. Why, what was the ordinary notion of free trade? His notion was that every man was to be allowed to use his capital in the most advantageous manner; and that that capital should thus find its way into every description of profitable employment. Why then did the hon. Gentleman, who was a free-trader, wish to legislate to protect the interests of the cotton manufacturers at the expense of the railways? He always thought that hon. Gentlemen who voted for the Corn Bill did so with a view to direct the employment of capital

in such a way as to suit themselves; and now the hon. Member for Inverness distinctly proposed legislative interference to prevent the employment of capital in a particular way, because it did not meet the interests of the cotton manufacturers. He could not see the consistency of this with the theory of free trade, neither could he agree with the argument of the hon. Member for Bridport that the employment of capital on railways did no more than pay the wages of the labourers, and fill the coffers of the Chancellor of the Exchequer by the consumption of exciseable articles. With regard to the Motion of the hon. Member for Montrose, he thought the wisest course would be to withdraw it.

MR. TRELAWNY supported the views of the hon. Member for Bridport, that all the money used in the construction of railroads was so much extracted from the general capital of the country, and sunk.

MR. AINSWORTH expressed the greatest surprise at hearing such a doctrine. Did not the hon. Members for Bridport (Mr. Mitchell) and Tavistock (Mr. Trelawny) say that the money laid out in railroads employed the people of their own country, the produce of their own country, and the capital of their own country? Indeed, the amount of indirect employment, such as in the coal and iron mines, was as great as that of constructing the roads and locomotives. He trusted no impediments would be thrown in the way of capital being laid out in railways on a fair and just principle.

MR. HUME was not at all surprised at the speeches of the hon. Members for Bolton (Mr. Ainsworth) and of Newark (Mr. Stuart), for they did not appear to understand the question at all. He entirely agreed with the hon. Members for Bridport and Tavistock. The hon. Gentleman opposite did not understand what free trade was. He, as a free-trader, objected to privileges being given to any class; and if he could show that one single railway in this country, the proprietors of which had laid out 4,000,000*l.* in its construction, and who put into their pockets, besides 10 per cent interest on the outlay, bonuses to the amount of 3,900,000*l.*, he thought no one would doubt that the railways enjoyed privileges. He knew that railroads were first established under great disadvantages; that they were opposed by the landowners, and that advances of capital were hard to be obtained; and he did not say a word against a proper return to these railways. He never had done so, and on that ground he complained of the noble Lord the Member for Lynn perverting his argument. The noble Lord had been rather facetious on the subject of credit; but of course as the noble Lord had formerly been otherwise employed, he could not be expected to know much of credit. Thus the noble Lord picked out a word in the resolution which a school-boy would see was a misprint. He believed that the noble Lord knew nothing of the question. He should not take the advice of those who recommended the withdrawal of the Motion, but of the hon. Member for Sunderland (Mr. Hudson), who wished it to be postponed, as the great interests affected by it had not had time to consider the question. He would be the last man in the world to refuse to capital its fair and legitimate use; but there were great abuses of the powers given by Parliament. The hon. Member for Sunderland admitted that there were the greatest abuses. Then his hon. Friend the gallant Colonel asked why had he not taken means to stop these abuses before? Nine years ago he had attempted to take the sense of the House on the subject, and to prevent dividends being paid out of capital; and on the assurance that Government would look to it, he had let the matter stand over. But Government never had attended to it—and they never would if the House did not take it up. This resolution was printed last year, and submitted to the House, and had now been printed and in the hands of the President of the Railway Board from the beginning of the present Session, and therefore he was not to blame for the delay. All he wanted was to stop abuses, and he was by no means satisfied with that discussion. The noble Lord at the head of the Government had made a speech which convinced him that nothing would be done till next year. He liked the speech of the Chancellor of the Exchequer better, and agreed with him that it might be necessary to go still further than the restriction mentioned in the resolution. He concluded by consenting to postpone the discussion for a week.

Debate adjourned until Friday.

DIPLOMATIC RELATIONS WITH THE COURT OF ROME.

MR. HORSMAN rose to ask the question of which he had given notice, namely, —Whether it were the intention of Her Majesty's Government to establish diplo-

matic relations between this country and the Court of Rome? He thought it would be highly advantageous that this country should have a resident Minister at the Court of Rome, with relation to questions both of a commercial and territorial character. It had until recently been doubted whether, if we were disposed to endeavour to establish a more friendly footing with that Court, such a measure would not be objected to on the opposite side. But a change had now come over the feelings of the Papacy, and the recently elected Pope, having adopted the maxim that the internal relations of his State should be regulated rather by political than by religious feelings, and having given a very hospitable reception to the Ambassador of the Porte, there was no doubt that he could not feel otherwise than honoured at receiving at his Court the representative of this country. There could be no doubt of the friendly feelings of this country towards the present Pope, whether or not they took any steps to establish relations with him on a more friendly footing, such as became the interests and character of this country.

LORD J. RUSSELL: I certainly concur with the hon. Member in all that he has stated of the liberal policy of the present Pope, and I believe that it would be his wish to see more formal diplomatic relations established between this country and the State of Rome. I have seen, with very great pleasure, the course which the present Pope has pursued; and I think it will tend much to increase the happiness of the people of Italy. I have no hesitation in saying, that I think it would be desirable that these more formal relations should be established; but the question is one both of law and of policy: in point of law exceedingly intricate; and in point of policy likely to excite considerable discussion. The law, as it at present stands, leaves a difficulty; there are expressions and words in the Act of Parliament to which it is difficult to give a legal interpretation. Therefore, as the law at present stands, I do not think it would be safe to advise Her Majesty to send a Minister expressly with credentials to Rome. With respect to introducing a Bill on this subject to make the law more clear, I do not think it would be advisable, at the end of a Session, with a great deal of other business before us, to introduce a Bill on so important a subject. I cannot tell the hon. Gentleman that we intend to introduce a Bill; but it is a subject on which I hope we may legislate in future; and I do think it desirable that diplomatic relations should be established between this country and Rome.

LOAN DISCOUNT BILL.

On the Question that the Speaker do now leave the Chair, for the House to go into Committee on the Loan Discount Bill,

The MARQUESS of GRANBY felt that it was necessary for him to make an apology to the House, for venturing to address it on a subject of so much difficulty. As it was in the power of any person who paid any attention to the subject, without entering into the chemical properties of the soil, to say such and such a soil produces such fruits, and such another soil will not; so he hoped the House would indulge him, if he did not enter into the intricacies of the subject, but contented himself by reviewing the facts of the case as they stood before them, and their financial and social aspect. The question they had to discuss ought not to be confined to the proposition of the right hon. Gentleman the Chancellor of the Exchequer. They ought to take a more extended view, look calmly at the present state of the country, and consider to what extent that state was to be attributed to the banking law of 1844. It had been admitted upon all hands that great distress existed in the country, and that a great deficiency in the circulating medium was generally felt. It was not his intention to occupy much of the time of the House by reading extracts from communications which he had received, to prove the extent and alarming nature of that pressure; but he might be permitted to observe, that the magnitude and extent of the monetary disorganization was painfully attested by a letter received from Mr. Foster, of York. The noble Lord read extracts from the letter in question, and also an extract from the *Manchester Courier*, detailing the distress which the manufacturing districts laboured under in consequence of the pressure of the money market. The state of trade had become desperate; and in Manchester and the adjoining district of Salford thousands of hands were but partially employed on the short-time system, and thousands of other men wholly without work, while the price of food was rising, and the condition of the people was becoming more calamitous every day. He should not trouble the House by reading further extracts, as it was admitted on all hands

that the greatest possible distress prevailed in the manufacturing districts. They had been told that the Banking Bill of 1844 was to saturate the country with gold; but he believed that the statement was made for the purpose of saturating the minds of hon. Members, that the Bill had saved them from great distress. But what were the facts of the case? He believed the Bill came into operation on the 7th of September, 1844. What quantity of gold was in the Bank at that time? In the issue department there was coin and bullion to the amount of 12,657,208*l.*; silver, 1,694,087*l.*; and coin in the banking department, 857,765*l.*; making a total of 15,209,050*l.* But what was the quantity of gold in the Bank on the 24th of April, 1847? There was gold coin and bullion amounting to 7,120,006*l.*; silver, 1,429,134*l.*; gold and silver coin, 664,750*l.*; making a total of 9,213,890*l.*, so that in point of fact there were 6,000,000*l.* less of gold in the Bank of England in the year 1847, than there was previously to the passing of the Bank Bill of 1844. Was it then true, or not, that the Banking Bill of 1844 saturated the country with gold? It had been said, how was it possible to foresee what was likely to happen; how was it possible to foresee the famine in Ireland, the failure of the cotton crop, or the inordinate speculation in railways? But he begged to say, those failures and that speculation had not been foreseen. There was the memorial from all the eminent bankers in London alluded to a few days ago by the hon. Member for Shrewsbury (Mr. Disraeli), which was drawn up previously to the passing of the Act. Now, were the Gentlemen who signed that memorial men of no note, or were they persons who did not understand the question? He knew it had been said, the House of Commons was responsible for not having paid attention to that document; but it should be borne in mind that the memorial never had been laid upon the Table of the House, nor never had been fairly before it. It might have been accidentally mentioned, but it never was before the House in a practical shape. But, in addition to that memorial, was there nothing in their legislation of the last few years to lead them to expect what was likely to happen? Were there no other signs in the sky of the tempest that was to be dreaded? What had been their course of legislation for the last few years? Had they not by their measures of 1842 and by their free-trade legislation, induced gold to be taken abroad with one hand, and with the other declared that for every pound in gold taken abroad, not only would they not allow the vacuum to be filled up by another medium of circulation, but they declared that for every pound of gold they would take away its equivalent in Bank paper. This showed that it was quite clear the pressure must have come sooner or later. He knew it was said, if they wished to get back their gold, the only means would be to restrict the issue, and to make money dear and commodities cheap. But he begged the House to consider the distress that must intervene before that could be carried out. Let them remember the great number of mills which would be stopped, the number of manufactories that might be closed, the reduction of wages, and the pauperism that would be entailed upon the country before the measures could come into operation which were to relieve the pressure. He had often heard the popular adage, "Before you get better you must get worse;" but he never heard of a doctor who undertook to make the patient worse in order that he might get better. But how did they propose to get back the gold that had been sent out of the country? The only means for effecting that object would be to send manufactures abroad, and get gold back in exchange. But then, what manufactures were there in the country? They had been told they could not send their railway stock—then what manufactured stock had they? He feared they had hardly any, in consequence of the working of short time. And what raw material had they to work upon? He held in his hand a statement of the quantity of bales of cotton in the markets of Liverpool, London, and Glasgow, in the three years of 1845, 1846, and 1847. There were in the year 1845, 1,624,744 bales; in 1846, 1,556,804; but in 1847, there were only 1,320,944. There were imported from January to the 30th of April, 1845, 727,684 bales; in 1846, 510,750 bales; but in 1847, there were only 487,154 bales. The deliveries were in 1845, 32,220 bales; in 1846, 31,040; and in 1847, there were only 20,273 bales. He would not go into the question of other articles of raw material, from which the manufactures of the country were to be produced; but it was well known that manufactured stocks were low, and therefore it was he feared they would have to wait for some time before the desirable effects that were

anticipated could be realized. He was also of opinion that the high price of cotton was not in consequence of the superabundance of money, but owing to the scarcity of cotton. They had been told that one of the great objects of the Bank Restriction Act was to prevent the country banks from issuing more than a certain quantity of paper, and so to give the Bank of England some general control over the issue of paper throughout the country; but no sooner was that doctrine laid down, and the public mind became impressed with the necessity of it, than they found that when the memorial of the bankers was presented to the Government of the day, the answer then made was, "We cannot allow the Bank of England to have the control over the issues." And why? Because it was feared the Bank might avail itself of the permission. Then, again, they heard that another great object of the Bank Restriction Act was to insure the convertibility of notes into gold. This was to be the basis of the currency; but no sooner were their minds filled with the truth of the principle than they heard that a sum of 14,000,000*l.* was to be issued, not upon the security of gold or silver, but upon Bank securities. If they were to give up that great principle, if they were not to stand by that principle, why did they they not give to the Bank a discretionary power to relieve the country from the severe pressure and distress which it was now suffering. What was the object of money? Was it not to facilitate the interchange of commodities between different companies, of persons, and individuals? But if the population increased, and manufactures increased, did they think the circulating medium was to remain the same, and that, let the circumstances of the country be what they might, that they could not alter the standard of the currency? Or, supposing the population and transactions to remain the same, the circulating medium could be diminished without causing great pressure and distress. In concluding this part of his subject, he could not do better than refer to a speech made by a noble relative of his (Lord Morpeth) in the autumn of last year at Sheffield. The occasion was a great one. There was an immense meeting, and the extinguisher was to be put completely on the Protection party. In that speech he found the following passage:—

"Now, feeling how much more they have always done, and done so well, I am quite willing to take the injunction of my friends near me, to let them alone and manage their own affairs, which they can do much better than with the help of a meddling Government."

But this principle is much more applicable to your own Bank of England, than to our commercial relations with foreign countries. He would read an extract from a speech of the right hon. Baronet the Member for Tamworth, who alluding to a speech of the noble Lord the Member for Lynn, said—

"The noble Lord had said that if we get the corn of France and the timber of Prussia, the great consideration was, what we should get them to take in return. Why, suppose they took nothing in return, what should we suffer from that? On what principle does the noble Lord think foreign commerce is carried on? When we buy the brandies of France, they are not given to us—something is given in exchange for them. There is no mode of making purchases but by giving an equivalent for them. Well, but you say we shall sent out gold for them; but do you send out gold to these countries now? I have not seen any diminution in the gold of the Bank of England that could be attributed to this cause. If there has been a decrease in gold, it has been from our internal concerns. I have not seen that any great quantities of it have gone to Prussia. What will astonish you still more perhaps is, that I wish it had. This country would be able to command a sufficient quantity of gold if it were required in the steady and legitimate course of trade. When a regular commerce is carried on, there can be no drain of gold; and even if they take nothing but gold, we can only procure that by transmitting our manufactures for that gold, and then purchasing corn and timber with it. I should not be alarmed, therefore, if there should be an export of gold from this country, knowing that we shall obtain that gold by exchanging our manufactures for it. No such export can take place as will derange our internal affairs, or derange the stability of our commerce."

He really thought that the free-trade friends of the right hon. Gentleman had not paid that attention to him, which, from the attention he paid to them, they were bound to do. He thought they should have congratulated the right hon. Gentleman on the way his wishes had been fulfilled. But no expression had yet fallen from any Member of that House, showing any sympathies for the feelings of the right hon. Gentleman. It had been said that it was unfair to refer to free-trade measures in the present circumstances of the country; that the potato famine, the high price of cotton, and the general deficiency in the harvest, prevented the free-trade measure from being fairly tried. He admitted that there was something plausible, but denied that there was anything conclusive, in the argument. Were we importing nothing but food? Was it a drain of gold to supply our deficiency of food, that caused our

deficiency of gold? He thought he could show the House satisfactorily that this was not the case. He held in his hand a return of the imports of various articles during 1845 and 1847; and he found that of cotton, clocks, cotton manufactures of Europe, fancy woods, glass bottles, iron, brass, lead, leather, gloves, linen, silk manufactures, brandy, sugar, tallow, woollen manufactures, tin, wood, and a variety of other articles, breadstuffs being entirely excluded, the official value in 1847 exceeded that in 1845 by 4,333,792*l.* The excess in glass bottles amounted to 7,473*l.*, although the House had been told, when the duty was taken off glass, that we should be able to supply the world. In the article of sugar, which was principally slave-grown, the excess in the imports of 1846 and 1847 as compared with 1845, was 1,175,043*l.* The articles he had enumerated showed to what extent free trade had injured our own artisans. Cotton, glass bottles, iron in bars, lead, leather gloves, linen, the silk manufactures of Europe, and woollen manufactures, were the articles which interfered more particularly with our native industry. He found that the excess of imports in those articles during 1847, as compared with 1845, amounted to 857,559*l.* The right hon. Gentleman the Chancellor of the Exchequer, in speaking of the number of labourers employed in railways, stated that for every 1,000,000*l.* expended, there would be 45,000 employed; and that for every 1,000*l.* there would be forty-five labourers employed. If, therefore, this 857,559*l.*, which had been taken away from this country, in order to buy those manufactures which were to enter into competition with the productions of our own countrymen, had remained in the country, we could have employed no fewer than 38,590 heads of families. Let no one tell him that the free-trade measures had not been tried. They had been tried, and they had not only been found wanting, but it was found that they had done material injury to the people of this country. His noble relative had also told the people at Sheffield that the sharp cry of the people, under the pressure of famine, would be strong enough to sweep away every obstacle; and that in every year, in every season, in every state of the weather, the ports of Britain should be open for the admission of foreign produce, and that the people of England should open their mouths wide for all this, and that no man should stay it. He hoped that if the people of England opened their mouths then, that they would now open their eyes as wide. He feared that their breeches pockets had been rather widely opened, and that more had come out of their pockets than had gone into their mouths; and he believed that they were now better able to judge of the fallacy of the free-trade principle. But it was stated that this famine was not confined to England—that it had extended itself to France, Belgium, Holland, up the Rhine, and up the Danube. In that declaration he heard the echoes of another speech made by his noble Friend (Lord G. Bentinck), and than which a more eloquent speech was never delivered in that House. That speech came back upon his (the Marquess of Granby's) ears like "the remembered tone of a mute lyre." That which had been now stated as a fact was then predicted as what would probably arise. In quoting from Mr. Tooke's prices, he said—

> "In ordinary circumstances we may safely trust to a regular supply from abroad; the discouragement of our home productions may not then seriously affect us; but if a famine arise, then we may have bitter cause to repent the folly of our course, and may find that the encouragement we gave to home productions by the imposition of restrictive duties was absolutely necessary. The more you increase your dependence on foreign supply, the more you increase, in the event of a general pressure, the risk of a monetary derangement."

He thought the House ought to congratulate itself that the corn laws were not repealed eight or ten years ago, for if they had been, it was his confident belief that in years where there was no scarcity, they would have put out of cultivation their own soil; and we would, under present circumstances, require five millions of quarters of wheat from abroad more than we were now importing. He did not pretend to say that, in years like the present, we could prevent great scarcity — what he meant to say was, that more corn would be sown in our own country under a system of protection, and that it would be our own fault if we permitted that corn to leave the country in a time of scarcity. We should then have, at all events, all the diminished produce if we chose; but if it was grown abroad, we might not be able to obtain any portion of it. We were told, again, that we could not judge of the free-trade measures at the present time, in consequence of the scarcity being general throughout a great part of Europe, and that those from whom

we were obliged to buy wheat were themselves in want, and could not afford to spend money on British manufactures. Now what was the truth? From what countries did we get our corn? Did we get it from countries that were in distress? Did we get it from France, from Belgium, or from Holland? Why, those countries were unlike our own. The rulers of France, whenever a scarcity occurred, and they thought there was any danger of famine, closed the ports. It was not from countries in distress we got our corn, but from countries that had a superabundance —from America and Russia for example. And not only did this do away with the argument, but it told the other way. Undoubtedly there was distress in other places as well as in England. America was able to get a higher price for her corn than if there was no deficiency in the harvest in other parts of the world, and she was therefore better able to buy our manufactures than she would be under ordinary circumstances. Therefore he would say that the argument that we could not now judge of the effect of the free-trade measure was not founded upon truth, and would not bear scrutiny. He thought his noble Friend the Member for Lynn had acted fairly and honestly when he exposed the fallacy, that if you took care of your imports your exports would take care of themselves. He believed the noble Lord was right, and that he had pointed out the true policy in calling upon them to protect our own industry and our own people, and to extend, as contradistinguished to the foreign trade, our colonial trade. When we imported corn or other articles from our colonies, they were willing to take our manufactures in return; hut if we went to America, Russia, France, or Prussia, they would not do so. The truth of what the noble Lord said, was now being exemplified; and whatever eloquence might be opposed to it, truth would make its way. He did not know how long we might go on worshipping this idol of free trade which we had set up—he knew not how long our affections might thwart our judgment—how long, like the moth, we might flutter round the candle, and when our wings were burned, offer up our bodies also as a sacrifice. But what he had to say was this—that if they would pass measures causing the exportation of gold and ruinous to our artisans, it was impossible to refuse to give some other circulating medium, instead of the exported gold, in order to allow our manufacturers and our countrymen generally to employ their capital upon the remnant of the trade left them, or on any other occupations, if they were lucky enough to find them, in which they might employ their capital. Before he sat down, he would venture to express a hope that Her Majesty's Government would not rest contented with merely satisfying and relieving their own necessities, which they could only do at the expense of their country, but that they would listen to the prayers of a vast majority of the intelligent, thinking, and industrious classes of this country, that they would allow them the means of carrying on their business, and employing their workpeople by taking away the restrictive character of the Act of 1844, and by extending the currency.

The CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, I certainly thought that the debate which has just been commenced by the noble Lord, was to have been a continuation of the debate which took place on Monday night, and that it was to be confined principally to the monetary condition of the country, and to the question whether the House was of opinion that the principle of the Act of 1844 should or should not be adhered to. But, although it is true that the noble Lord, at the beginning and at the end of his speech, has uttered a sentence or two with reference to that subject, the greater part of his speech has been directed against the general measures of free trade, and has referred to the reduction of duties upon the importation of foreign goods, the consequent injury to the English manufacturers, and the drain of gold which he attributes to the importation of foreign manufactures, and not to that of corn and flour. The noble Lord, however, seems to forget for how long a period previously to last August measures of free trade of an extensive character have been in operation, and the very large importations of foreign goods which have taken place for two or three years past; and he seems to forget that up to last August, when the necessity of importing corn was for the first time felt, there was, nevertheless, an unexampled flow of gold into this country. I do not think the noble Lord is very correct in his statements with reference to what has occurred within the last eight months; but certainly he is entirely mistaken as to the events of preceding years. The noble Lord has referred to the misfortunes which might be entailed upon this country by rendering it dependent

upon foreign countries for a supply of food. Now, I would ask whether the noble Lord means to say that the supply of food produced in this country has been diminished by the operation of the Act of last year? The noble Lord cannot make such a statement. There has, then, been no diminution of home supply in consequence of our being dependent upon foreign countries; and I should like to ask the noble Lord what situation a great part of the population of this country would have been in at this moment if they had not received from foreign countries, and especially from America, those enormous supplies of food which have kept a large proportion of the people from starving? The noble Lord has quoted some extracts from the speech of a noble relative of his at Sheffield. I confess, I cannot discover what that speech has to do with this question; but I consider that the advice given in that speech to the people of America, was remarkably sound; and I hope they will follow it. I hope that the people of America will cut down their forests and plough up their prairies, and in their place cultivate extensively grain of various kinds by which the people of this country may in future years be plentifully fed. I will not follow the noble Lord opposite in his arguments on the subject of free trade, for I think we have to deal with a subject quite large enough in considering the monetary condition of the country and the state of the currency. With regard to the measures which I have proposed to the House, it is a great satisfaction to me to find that they have met with the universal concurrence of every hon. Gentleman who has spoken on the subject. I may, however, be permitted to refer to some of those topics which were mentioned on a former night, because, in the position which I hold, I consider it essentially necessary that I should state my views on a question of this nature. An hon. Gentleman opposite, the Member for the city of London (Mr. Masterman), has invited me to give an assurance that, under no circumstances, will I ask from the banking department of the Bank of England any deficiency bills in the next July quarter. That is an assurance which I shall certainly not be so indiscreet as to give; but I think the hon. Gentleman may be well satisfied that it is my intention, if possible, to avoid that necessity, for I believe I have taken those measures which, in the unanimous opinion of all who have spoken on the subject, are best calculated to obviate that necessity; and, from the experience of the last week, I hope that the course taken by the Government has also, to a considerable extent, been attended with beneficial effects as regards the state of the money market, which is now comparatively easy. The noble Lord the Member for Lynn (Lord G. Bentinck) has stated that the question upon which the country is most interested is, as to the principle upon which the currency is to be conducted—the maintenance or non-maintenance of the Act of 1844. The right hon. Baronet opposite (Sir R. Peel), who introduced the Act of 1844, has stated most fairly that no affection for his own offspring, as it is termed, should induce him to abstain from candidly considering the subject, if the Government deemed it necessary to call upon the House to revise that Act. I have not the slightest doubt that the right hon. Baronet would fairly act up to that declaration. If the Government considered it advisable to revise the Act of 1844, they would bring the question before the House. But, as I declared on two former occasions, such is not the opinion of the Government. [Sir R. PEEL: Hear, hear!] This is a question in which party spirit never has entered, and I trust never will enter. It is far too important a subject to be made a mere matter of party discussion; and I gave my unhesitating support to the Bill of the right hon. Baronet (Sir R. Peel), although I was not a supporter of the right hon. Gentleman's Government, because, on the best inquiry I could make, and the best consideration I could give to the subject, I had arrived at a deep-seated conviction that the measure of 1844 carried out the sound principles upon which our currency ought to be regulated. I was the chairman of a Committee which had been appointed with reference to the subject, and before which many most able men, well conversant with the question, were examined. I entered that Committee without any great bias, but with an anxious desire to ascertain the truth as far as I could; I left the Committee with the conviction that the principles which were subsequently carried out by the right hon. Baronet's Bill were the sound principles for the regulation of our circulation; and I do not hesitate to say that the opinion which I then formed, remains unshaken at the present moment. [Sir R. PEEL: Hear, hear!] I must say that I am more and more convinced by the discussions which have taken

place on this subject of the policy and expediency of maintaining that Act. Nothing can be more remarkable than the extraordinary discrepancy of opinion which prevails among those hon. Gentlemen who have spoken and who have impugned the Act of 1844. The noble Lord opposite proposed simply to repeal that Act, and the hon. Member for Shrewsbury (Mr. Disraeli) took the same view; but a great authority on the subject, the hon. Member for Birmingham (Mr. Muntz), said very truly that the measure of 1844 was indispensably necessary for efficiently carrying out the measure of 1819. To satisfy that hon. Gentleman, therefore, we should have to repeal not only the Act of 1844, but the Act of 1819. But the hon. Member for Birmingham who sat opposite (Mr. Spooner), was not satisfied with the state of the law as it existed before 1819. We should have to go back then to the law as it stood before 1797; but before that period the standard was precisely what it is now—a gold standard with the Mint price at 3*l.* 17*s.* 10½*d.* for the ounce. The hon. Member for North Warwickshire seems to think that there had been a silver standard at that time; but, in point of fact, it was not so, owing during the greater part of last century to the value at which silver was at that time rated by the Mint; and when towards the close of last century it became advantageous to bring silver to the Mint to be coined, the Legislature interfered to prevent it. The result is, that for the last 150 years we have never practically had silver as a standard. In matters of this kind there is nothing so essential as certainty; and I must remind the hon. Member for Birmingham that we have not yet heard from him what he means by a pound. I believe that it will be admitted by all sensible men, that nothing would be so foolish as to repeal the present law, unless we are prepared to state what we would substitute for it. When those Gentlemen who recommend that course, have come to an agreement among themselves, and shall make any definite proposition to the House, we may, perhaps, discuss the question with advantage; but I think it would be little short of sheer folly to disturb the present law with no clear and certain alternative to be adopted in its place. One other proposition has been made, and that is, for the establishment of free trade in banking. I think that, to show the danger of adopting such a system, I need only refer to the example of America. Free trade in banking, that is to say, an unlimited competition of issue, had been established in that country, accompanied by every guard which the ingenuity of the American people could impose upon the administration of the banks, save and except that of insuring a practical convertibility into coin; but in 1837, the experiment ended in an universal suspension of cash payments, and in very general bankruptcy from one end of the union to the other. The hon. Member for Rutlandshire had talked of some scheme for properly limiting the issues; but, until some practical plan is submitted to us, I can form no opinion of its efficiency; and, for my own part, I can conceive none that would answer the necessary object, except some law which limits the issue of paper with reference to the quantity of the precious metals. With respect to the attacks made on the Act of 1844, I do not think that those who have impugned that Act have treated those who promoted it quite fairly; because they have put their own anticipations of what they expected from it into the mouths of the promoters of the measure, and when they find that their own expectations have not been realized, they turn round and complain of having had delusive hopes held out to them. No stronger instance of this can well be conceived than that which has been stated both in and out of the House, and which has been repeated by the hon. Member for Montrose, that expectations were held out that after the passing of the Act of 1844, the Government was never to have recourse again to the issue of deficiency bills. Since the debate on Monday, I have referred to both the speeches made on the occasion of that Act by the right hon. Baronet the Member for Tamworth, the authorized expositor of the objects of the measure, and I cannot find that a single syllable on the subject dropped from that right hon. Gentleman. I cannot find that any other person referred to that subject except myself. I do not pretend to be the expositor of the Bill, but it was my fortune, from circumstances, to take a somewhat prominent part in that debate in 1844. I find that I was the only person who, speaking on that occasion, referred to the subject of deficiency bills; and I then said what I referred to on Monday night, namely, that under the operation of the Bill, the Bank of England might, without difficulty, and with advantage to the public, continue its former practice of making advances to the

Government out of its means as a banking establishment. If this were, as I believe it to have been, the only observation made on the point at that time, it is hardly fair in those who impugn the Act to turn round on those who promoted it, and accuse them of holding out expectations directly the reverse of their expressed anticipations. I never was more surprised at anything than at the charge made against me by the hon. Member for Huntingdon on Monday night, namely, that I had been guilty of some concealment in not mentioning my probable want of advances from the Bank upon deficiency bills for the April quarter; because, if I hold a strong opinion upon one point more than another, it is on not only the inutility but the absurdity of concealment. I think that there is nothing more wise than the most open and frank dealing in all matters of this kind; and if I had been asked the question, I should not have had the slightest hesitation in telling the contractors what my probable demand for deficiency bills was likely to be. I communicated to the Bank, I believe in the month of January, that I should probably require about the usual amount of deficiency bills for the next payment of dividends, and I should not have had the slightest hesitation in saying as much to the contractors if they had asked me. If they were deceived, they were deceived by themselves, because, in every quarter since the passing of the Bill, with the exception of one, there has been an issue of deficiency bills; and if they were so shortsighted as to conclude, from one instance, that there never would be deficiency bills again, when in every preceding quarter but that one there had been deficiency bills, I cannot blame myself for having deceived them. In the course which I adopted, my object was to disturb as little as possible the ordinary course of monetary transactions. That a loan always does more or less disturb those operations, is undoubtedly true; but I made the amount of the loan as much and no more than I thought I should want for the demands of Ireland up to the harvest. I arranged also the instalments of that loan as equally as I could over the time, in order that it might be paid up with as little pressure and disturbance of monetary operations as possible; and I never intended that any mode of payment should be adopted which should, in any way that could be avoided, interfere with what would have taken place if the loan had not been made. Now, what were the two requests made to me by the contractors which I did not accede to? One was, that the instalments should be spread over a larger space of time; and the other, that they should be allowed to pay up their instalments on discount. As far as the public was concerned, the probable effects of the two propositions were contradictory. If the contractors were not to pay a part of their money until after the period which I named to them, I should not get my money when I wanted it; and if they were to pay up on discount, with a longer period for the payment of the loan, it might be necessary for me to pay a larger amount in discount on account of the longer time allowed for payment of the instalments. This was the only possible effect of the two propositions taken together. The proposition of a longer period for the payment of the instalments was, so far as the interests of the public are concerned, totally inconsistent with a concession to enable the contractors to pay up on discount. I did not at that time consent to the allowance of discount, because it was not necessary for me to have the money so promptly, and I felt that the payment of a large sum of money in that way might have some effect in deranging the money market. Circumstances have, however, changed, and I have adopted the course which has been explained to the House, of giving inducements for the paying up of the instalments, by allowing discount, in order that the balances may be increased for the July quarter. The noble Lord seems to think it perfectly certain that the amount of the pressure could have been foreseen. I, as well as others, had foreseen long ago that there must be a large importation of corn, which would cause a drain of gold from the country, and that always causes a pressure. Nevertheless, even so late as February or March, no one anticipated the severity of the pressure which has since taken place, arising, I believe, in no inconsiderable degree from the alarm which was excited in the mind of the public by their observing, in the published accounts of the Bank of England, the small amount of notes in reserve which appeared on the 17th April. This again has been attributed to the existence of deficiency bills; but a moment's consideration must show hon. Gentlemen, that whether the sums paid to the receivers of dividends are provided out of balances in the hands of the Bank to the credit of Government, or out of advances made on

deficiency bills, precisely the same amount of notes must be paid out of the Bank, and the existence or non-existence of deficiency bills makes no difference whatever in the amount either of the notes with the public or of those in reserve. Hon. Gentlemen have also taken a most exaggerated view of the effect which deficiency bills produce on the accommodation to the public, afforded in the way of discounts or advances on private securities. If the Bank has Government balances in its hands, it is not to be supposed that they will remain in the shape of bank notes in the till of the Bank; of course they will be invested in some kind of securities; and when the time for payment of the dividends arrives, those securities must be realized to a certain extent, in order to enable the Bank to pay the dividends. If it so happens that the balances have been employed in discounting bills, then the accommodation thus afforded to the public by means of the money of the Government must be curtailed for the short period during which the creditor of the Government is receiving the money due to him every quarter. Take the last quarter for example. I had apprized the Bank early in the quarter of the probable amount of deficiency bills for April; and in January and February they sold public securities with the view of being prepared for this demand; but towards the end of the quarter, they applied the money so procured in discounting bills. But they might have done precisely the same thing with an accumulation of Government balances; and if they had done so, then the same result would have followed, and when quarter-day came, the accommodation thus afforded to the bill brokers must, to exactly the same extent, have been withdrawn for the time. If the Bank has a large reserve, the existence of deficiency bills produces no effect; and if the Bank does not keep an adequate reserve, then the Government balances do not obviate the necessity of withdrawing for a short time, during payment of the dividends, a part of the accommodation previously afforded on private securities. I think, therefore, that to attribute the whole of the pressure in the beginning of April to the existence of deficiency bills, is to take a most exaggerated view of the state of things. I will now state to the House what, on former occasions of pressure, has been the amount of deficiency bills, and the amount of accommodation afforded to the public chiefly in the way of the discount of bills. The amount of private securities does not correctly indicate the bills discounted; but in all probability the difference in the amounts in the different years is mainly in the amount of bills under discount at the respective periods. Comparing the last two periods of pressure, both of which happened to be coincident with the payment of the dividends, it will be seen that a very much larger amount of deficiency bills was issued by the Government, and, at the same time, a smaller amount of accommodation given to the public than during the present pressure; and yet I never heard then the extreme outcry which is now raised against deficiency bills. I will observe, that the amount of circulation at the two former periods included the Bank Post Bills, and does not do so for 1847; so that I am entitled to deduct about 1,000,000*l.* from the amount of circulation which I shall quote, both for 1837 and 1839. I will read a return showing the amount of circulation, deficiency bills, &c., at the several periods referred to :—

Date.	Circulation.	Deficiency Bills.	Private Securities.
1837.	£.	£.	£.
January 10	18,776,000	4,800,000	17,900,000
January 17	19,033,000	4,380,000	17,000,000
1839.			
October 15	17,646,000	4,376,000	13,100,000
October 22	17,716,000	4,211,000	12,100,000
1847.			
April 10 .	20,403,000	2,475,000	18,136,000
April 17 .	20,242,000	1,315,000	17,111,000

Comparing 1839 with 1847, it will be seen that the circulation was about 3,000,000*l.* higher at the latter period, while the deficiency bills were from 1,900,000*l.* to 2,900,000*l.* less, and the private securities about 5,000,000*l.* more. To suppose, then, that owing to the amount of deficiency bills in April, which is so small as compared with the amount in previous times of similar difficulty, the private accommodation was very much reduced, is to attribute a great effect to a very inadequate cause. Some hon. Gentlemen who have come forward as the self-constituted defenders of the Bank of England, have put into the mouth of the advocates of the Act of 1844 charges against the Bank of England which they never made. We have been charged with blaming the directors of the Bank for lowering the rate of interest in August. The hon. Member for Huntingdon himself blamed the Bank for doing so. The right hon. Member for

Tamworth has disclaimed having referred to this point: neither have I said a word on the subject. The hon. Member for Huntingdon also imputes to me that I blamed the Bank for not raising the rate of interest earlier in the last quarter. I have said nothing on this question. With respect to the directors of the Bank of England, I believe that they have used their best exertions to promote the interests of the country; and nothing is further from my wish than to impute blame to them, or to speak otherwise than respectfully of those gentlemen. Still, I am not to be debarred from expressing my opinion on their conduct, if the public interests seem to me to require that I should do so. What I did say, was in answer to a position assumed by the noble Lord the Member for Lynn (Lord G. Bentinck), who, late one night, asked me what was to be done in consequence of the contraction of the circulation produced by the Bank acting in compliance with the principle of the Act of 1844; to which I answered, that there was no such contraction of the circulation. That is a matter of fact beyond dispute, for the returns show that the amount of notes with the public were very nearly as high in April as in August last, although the bullion in the Bank had been diminished to the extent of nearly 7,000,000*l*. It is clear, therefore, that the Bank had not acted in accordance with what the noble Lord assumed to be the principle of the Act of 1844, namely, reducing the notes with the public in proportion to the drain of bullion. Indeed, the hon. Member for Shrewsbury (Mr. Disraeli) demonstrated most clearly, in the comparison which he made of the drains of 1836 and 1839 with that of the last eight months, that for a certain time the same course had been pursued in all, namely, that the usual accommodation had been afforded for a considerable period of the drain, and then had been suddenly checked. The hon. Gentleman might not be very correct in his figures, but I do not wish to stop to dispute them, for I am not arguing merely for the sake of answering an opponent. The hon. Member is perfectly right in saying, that the amount of note circulation might have been higher than it in fact was at the commencement of the drains in 1836 and 1839, if the Act of 1844 had been in force. This, however, would not have been the case for any long time, either in 1836 or 1839, from the circumstance of the bullion in the Bank being lower in amount in both those years at the commencement of the drain, than it was in August last. I admit, therefore, that for a certain time, even the Act of 1844, if it had been in force at that time, might not necessarily have produced so early a contraction of the notes with the public as was desirable; and the hon. Gentleman has shown, that in 1847 the drain of bullion has not produced a corresponding contraction of the notes with the public, or what is commonly called the circulation, up to the month of April. But the noble Lord and the hon. Gentleman cannot have the benefit of the argument in both ways; it is not competent for them, taking a prominent position in impugning the Act of 1844, to advance diametrically opposite assertions, and the one to find fault with the Act because it produced a contraction, while the other argues that it did no such thing. The argument used by those who advocated the Act of 1844, was not that it would necessarily produce the effect, but that its tendency would be to produce the effect which they held to be essential, in order to prevent the severity of the pressure which always has followed a drain of gold—namely, an early, gradual, and steady pressure from the commencement of the drain. But the truth is, that in this case, as in former instances, the pressure came after the usual accommodation had been extended for a longer period than it ought to have been, and that the screw was put on, as it is termed, not only severely, but suddenly. I believe that in this year the pressure would have been less severe, if it had been more gradual; and this is not my own opinion only, but one of the largest bill brokers in the city said to me, that they could have borne this, and even greater pressure, if it had come upon them more gradually. The difference, however, between this and former cases is most important, and it is this—that the pressure, though severe, was brought on when the amount of bullion in the Bank was large, and when there was no fear of insolvency or doubt of the convertibility of the notes. The pressure for gold in the most critical period of the year 1825 was not from abroad; for the exchanges were in our favour: the main demand for gold then was stated by Mr. Horsley Palmer, in his evidence before the Bank Committee of 1832, to have been owing to the discredit of country paper. In December, 1825, a large bundle of 1*l*. Bank of England notes was sent down to Norwich, and the tender of them by the country banks there immediately checked the run

in that part of the country. There is no analogy between that case and the present; we are now protected from the danger which arose in 1825. The hon. Member for Huntingdon has borne the most decisive testimony to the beneficial effect of the Act of 1844 on the country circulation; and he attributes to it the safety from much over speculation to which in the last two years we probably should have been exposed but for its operation. The present drain is not an internal drain from discredit of the paper, but entirely for foreign export; and this can only be met by actually sending gold out of the country. I need not repeat, that the risks we have run in former years, and the experience of the United States, abundantly prove, that unless a drain of gold for foreign export is accompanied by a contraction of the paper circulation, there is no security for the convertibility of the paper. The truth, however, is, that the apparent defect in the working of the Act of 1844, in this respect, is owing to a misconception of the effect which it was professed that its provisions would accomplish. No little confusion has occurred in the minds of many Gentlemen, from the difficulty of separating the two departments of the Bank from one another in considering this subject. I expressed my regret in 1844, and the right hon. Baronet, the other night, almost concurred in this view, that the function of issuing notes had not been entirely separated from the Bank of England. I admit that, at the time, there were strong practical objections to doing so; but I am afraid that so long as the two departments of issue and banking remain within the walls of the same establishment, Gentlemen will not, even in their own minds, make that complete separation which in fact exists between the issuing functions of the Bank, and what is properly its pure banking business. If the issue of notes was made by the Mint, or a department of the Treasury, this confusion would be avoided; and it would be seen that the notes issued by such a department, and which would be returned as circulation, would increase or diminish with the increase or diminution of bullion in that department. All that the Act of 1844 proposed to accomplish in this respect, was to make the paper vary as a purely metallic circulation would do; and if all that has taken place in 1846–7 might, and in the same circumstances probably would, have taken place with a purely metallic circulation, then the Act of 1844 has, during that period, accomplished all that could be expected of it. Now, the same circumstances which have taken place in the last two or three years, might equally have occurred with a purely metallic circulation; with a free Mint, to which everybody might carry bullion to be coined, and when everybody might melt or export the coin. What, in such circumstances, determines the amount of coin? It is the amount of capital which, in the shape of precious metals, each individual, or rather the aggregate of individuals, chooses to divert from profitable employment in trade, in order to have it in the shape of coin, for the purpose of facilitating their ordinary transactions. Now, it is evident that in 1845 and 1846 there was a larger amount of bullion in this country than was required for the purposes of trade; for an immense quantity was accumulated in the cellars of the Bank of England, having been carried to the Bank, and exchanged for bank notes. The same quantity would, under a purely metallic currency, have been carried to the Mint to be coined. I do not mean to say that this would have been so to quite the same extent, for the facility of demanding paper for gold and gold for paper is greater than that of coining gold and melting coin; but, nevertheless, this would, to something like the same extent, have been the effect of the great influx of gold. There would, then, have been nearly the same quantity of coin struck at the Mint, under these circumstances, as there actually was under existing circumstances of bank notes demanded of the Bank in exchange for gold. What then would have become of this quantity of coin? The quantity of the notes obtained by carrying gold to the Bank was larger than was required, in point of fact, by the wants of the public for their ordinary purposes. It is equally evident, then, that there would have been, in this case, more coin in existence than was required for the purposes of circulation; and it must therefore, according to the ordinary mode of carrying on business, have accumulated in the tills of bankers, probably to a large amount in that of the largest establishment of the kind; that is, the Bank of England. No doubt it would not have been made evident to the eyes of the public in the same way, for there might have been no returns of bankers' reserves; but I think there can be no reason for doubting that such

would have been the course of things. It is equally evident, that if such had been the case, the drain since August might have been met by a diminution of the gold in the reserves of the bankers, and that the quantity which was passing from hand to hand with the public (which is now represented by the notes with the public) might have remained undiminished up to the present time. Everything, therefore, which for the last eight months has taken place under the Act of 1844 might equally have taken place under a purely metallic circulation; and it is therefore beyond dispute that the Act of 1844 has not failed in accomplishing that which in this respect it was calculated and intended to effect, that is, to make the paper circulation vary as a metallic currency would do. But this was always stated with other matters to be a secondary object of the Act—the main and primary object of which was to maintain at all times the practical convertibility of the bank note, and the complete identity of the pound in paper or in coin, with the standard pound of 123 grains of standard gold. The noble Lord has fallen into an extraordinary mistake as to the meaning of convertibility. He seems to think that there is no convertibility so long as 14,000,000*l.* of notes are issued on security. But this is not what convertibility means. The meaning of the convertibility of the paper circulation is, that at all times we should be able to obtain a sovereign for a note. It is quite an error to suppose convertibility to mean that, whatever amount of notes there are, there should be the same amount of gold. In that case there would be little or no advantage in a paper circulation. But by means of the Act of 1844, grafted on that of 1819, we have an indefeasible security for the practical convertibility of paper into a coin of a certain standard, and for the maintenance of that standard as invariable as the nature of things will admit. I shall be glad to hear from the hon. Member for Birmingham, when he tells us what his pound is, how he proposes to keep it invariable in value. Every witness examined in 1840 and 1841, whatever view they took of the currency, attributed the utmost importance to doing this, even though they failed in showing how it was to be effected. The hon. Member for Warwickshire, however, differed in one respect from the hon. Member for Birmingham. The latter declined defining the pound. The Member for North Warwickshire told us what a pound was; he said a pound was "a certain definite quantity of gold," but he differed as to the amount of gold at which the standard pound ought to have been fixed. I know what is meant by this standard, but I am at a loss to understand what is the meaning of the hon. Member for Birmingham (Mr. Spooner). My hon. Friend the Member for North Warwickshire has given it as his opinion that the Act of 1819 established the standard; he agreed that it was right to have established a pound of a given definite quantity of precious metal; but he would have had this quantity less than was fixed by the Act of that year. The Act of 1819 established that there should be 123 grains of gold in the pound. The hon. Member for North Warwickshire would not have had so many. But the Act of 1819 did not create the standard. It only established by law what had been established in fact two years before. The faith of Parliament was pledged to restore the old standard at the peace; and in point of fact, in 1817, two years before, the old standard was practically restored. The Bank of England, as the hon. Member for Birmingham would find, had paid, in the year 1817, according to the old standard. Mr. Tooke, a high authority on these subjects, stated that the Bank might have bought gold at 3*l.* 17*s.* 10½*d.* for the ounce, and that it was only the price they fixed that kept it above that amount; and they paid, in that year, a considerable amount of gold for their notes. To have established in 1819 that the standard should be 100, or any less number than 123 grains of gold to the pound, as suggested by the hon. Member for North Warwickshire, would have been no cure whatever, no remedy, and no safeguard against the present state of things and the pressure caused by a drain of gold for export in exchange for the commodities of other countries. The hon. Member took for granted that a pound would always be a pound; and if the standard had been fixed at 100 grains instead of 123 grains, he supposed that, as a coin representing a pound's worth, the pound, containing this smaller quantity of gold, would still serve all commercial purposes. It seems to me, however, that the merchants on the other side of the Atlantic were a great deal too acute to take a pound, whatever might be its value as bullion, for a pound of the old standard; and I apprehend, that in exchange for their commodities, cotton, or

corn, or whatever else they might be, they would always demand, when they trafficked for a pound, that such a coin should be of the standard of 123 grains. They would require precisely as much gold in exchange for a bale of cotton as they do now, whether it was called the same number of pounds as now or not. Then, if my hon. Friend admits this, the inevitable consequence is, that the same quantity of gold will go out of the country, whatever the pound is called. Supposing, to make the matter more simple, that a half sovereign were called a pound; instead of 7,000,000 pounds which had gone now—7,000,000 times 123 grains, or 14,000,000 pounds, according to the altered denomination, would have gone—or, in other words, precisely the same number of grains or weight of gold would have gone out of the country. And therefore, really, when the hon. Gentleman argues that it would have been possible to prevent that drain of gold under which we have been suffering, merely by calling another quantity of gold, some quantity less than 123 grains, a pound, he is substituting shadow for substance, and imagining that by varying a name he can alter the reality. Gold is of no value as coin in the exchange of commodities with foreign nations. Its only value in that respect is as an article of trade, and its value, therefore, in our trade with America must be estimated not as a coin but as a commodity. There is not the least doubt that if a less quantity of gold had been put into a pound in 1819, debtors in that year would have paid their debts with much more facility. That would be the case so far as concerned all debts contracted previous to 1819; but there would be no difference as to debts contracted subsequently, if the standard remained the same, for they would be measured both at the time when they were contracted, and when they were paid, by the same standard. If now the standard was to be altered, and if a debt contracted when a pound was valued at 123 grains was to be paid when a pound had decreased in value and represented only 100 grains, it is perfectly obvious that we should be doing neither more nor less than cheating our creditors. I have gone, I am afraid, into this question at much greater length than I had intended; but it is a subject in which I have always taken the greatest interest, and on which I think it very important that the objects to be attained by the Acts hitherto passed for regulating the currency of the country should not be misunderstood. The principles of the currency are indeed the subject which hon. Gentlemen, who entered into this debate, principally intended to bring into question in the present discussion, and I have attempted to express my own views on the different points which have been raised. I will now advert shortly to the present state of the country, and the causes which, in my opinion, contribute to produce that state, which no one more sincerely laments than myself. Dissatisfaction has been expressed that I have not before adverted more particularly to these circumstances; but hitherto I have not thought that it was my duty to go at any length into this subject. I have already stated most distinctly that I do not think the pressure which pervades the country generally is of a character for which anything can be done by the Government. I have adverted to the pressure on the money market; I have pointed out what I believe to be the immediate causes of the difficulty; and I have stated, at the same time, on the part of the Government, what are the measures which would be introduced with a view to alleviating that pressure. I have since shown that those measures have been attended, in a great degree, with the beneficial effect which had been anticipated from them; but I have always declared that the general pressure which extends over the country is one beyond the means of a Government to alleviate; and I have invariably expressed an opinion that any legislation, professing to interfere in such circumstances, is empirical and unsafe. The Government has not been prepared to grant the only assistance which they have been pressed to give; for, although suggestions were made by various parties in many shapes, they all came to this when the proposals were fairly sifted—that Government should repeal or relax the Act of 1844. That is the only practical course which has been urged on the Government; and I have stated from the first, as I state now, that we are not prepared to take such a step. I find, however, that, not in this House but elsewhere, Government has been accused of want of decision and want of firmness on that point. Why, the very first time that the subject was mentioned by me, and that the suggestion to which I refer was made, I stated, distinctly, that the present pressure was owing, not to the Act of 1844, but to the neglect of the real principles of that Act. I afterwards, on

the next occasion on which I had to express an opinion, most clearly declared that the Government was not prepared to adopt the measure then urged. And I certainly should be surprised if any Gentleman, with whom I have had interviews on this subject, should say that he had left me under the impression that the Government was about to repeal or to relax the Banking Act. My conviction is, as I have said before, that the general pressure was not caused by that Act, and that the repeal of the Act would not in any degree tend to afford relief under present circumstances. Now, the question has been raised and has been gone into by several hon. Gentlemen, as to the causes of the present distress of the country; and I will, therefore, briefly lay before the House the conclusions to which I have come as regards this most important point. I entirely concur with the noble Lord, that one of these causes is to be found in the present high price of one staple article of manufacture, viz., cotton; and that this high price of cotton is the result, not so much of the abundance of money, as of the deficient supply of the article. The noble Lord has stated truly that this high price has entailed great suffering on our manufacturing population, inasmuch as the master manufacturers have been under the necessity of diminishing the number of hands ordinarily employed by them; but certainly the remedy recommended by the noble Lord for the mischief is the strangest that I ever heard. The remedy suggested is that the laws regulating currency should be relaxed; and this is urged, though it is acknowledged the price of all articles would be raised by doing so. Such a course could only be succeeded by a rise in general prices; and thus the noble Lord would pursue a policy which would inevitably defeat his own object, by causing a rise in the price of cotton from this cause, beyond that which it already bears, to say nothing of the effect which this would inevitably have in raising the price of corn and food. Another cause—and this is more general in its operation—the absorption of capital in railway enterprises, has been frequently dwelt upon. I have stated before, that the want of capital which is now experienced, to carry on ordinary concerns, arises in some measure from parties having money locked up in railway shares; that is to say, in a description of security which the holders cannot realize at the moment when they most need the money. Let not the House understand me as saying anything against railways; I merely call attention to this fact; and it is undeniable, that there is a large amount of capital locked up in securities which cannot be realized when a pressure in the money market renders it desirable to have money at hand; that, on such occasions, such capital cannot be made available for the purposes of the owners in their commercial or manufacturing business, in consequence of being so locked up. The best proof of the want of capital is the high rate of interest. Some hon. Gentlemen have remarked that the high rate of interest is a complete proof of a deficiency in the circulation. This is one of those mistakes which I should not have expected to be made in the House of Commons at the present day. It is perfectly notorious that a high rate of interest often exists when there is a large amount of notes in circulation, and a low rate of interest when the circulation is limited. If the history of the circulation were traced for the last few years, it would be found that a high rate of interest nearly as often coexisted with a low amount of circulation, as a low rate of interest with an extended amount of circulation. But the prevalence of a high rate of interest does prove that there is not ready and available at the time, for the purposes of those who need it, the capital which they want to borrow; and they are therefore willing to pay a high rate for the use of it: such has been the case from the commencement of this year. If there is, as I believe to be the case at present, a deficiency of capital available for the purposes of meeting the wants of the merchants for carrying on their trade, and of the manufacturers for the production of their goods, and also for meeting the calls on railroad shares, from too much of the floating capital of the country having been already invested in those undertakings, or advanced on railroad debentures, the House may be assured that the deficiency will not be supplied by an issue either of 5*l.* notes or of 1*l.* notes. They constitute circulation, not capital. It is capital, and not circulation, which is required, and capital is not created merely by an issue of paper. The main and prominent cause of the pressure, however, is the want of food. That is an indisputable fact; and when it is considered what quantities of food have been imported in the course of the last twelve months, to say that the pressure is not properly attributable to such a cause,

does seem the most extraordinary delusion under which a noble Lord or an hon. Gentleman could labour. The noble Lord talked of the importation of foreign clocks and other articles which form a comparatively insignificant part of the trade of the country, and kept in the background the immense importations of food. The loss from the failure of the potato crop in Ireland has been estimated at 16,000,000*l.*; but that is far below the mark; for, besides the failure of the potato crop in that country, there has been a considerable deficiency in the crops of barley and oats. Nor was the failure of the crops confined to Ireland; potatoes have failed to a great extent in England and Scotland. So have the oat, barley, and bean crops; and I am afraid that the produce even of the wheat crop, when thrashed out, has not equalled the expectations which were entertained at the time of harvest; and the deficiency of the other ordinary articles of food must have caused a larger consumption than usual of wheat. The quantity of corn, therefore, which it was necessary to import into this kingdom, could not but be very considerable. The quantity actually imported does exceed all the calculations made by the most sanguine. But it must also be borne in mind, that not only have large quantities of grain been imported, but the prices have been very considerably enhanced by the competition of other countries. France, Portugal, Prussia, the German States on the Rhine, are all competitors for supplies of grain for food. Though in most cases this country has been first in the market, and has obtained by far the largest supplies, yet it must pay in proportion to the largeness of those supplies. Then the question arises, how is the price to be paid? It is for a time paid in gold. But it must ultimately be paid in goods, as even the hon. Member for Huntingdon admits—in the manufactured produce of the country; because every country must pay for what it obtains with its own produce. There has been hitherto payment, to a considerable amount, in gold; but there are favourable signs as to the prospect of demand for our goods, and I hope that the period of paying in our own manufactures, instead of in gold, is at hand. The exchanges are turning in favour of this country. Every packet from America brings accounts of improved quotations. By the last packet, intelligence has been received that the exchange had risen from 106½ to 107. At this rate it is not worth while to send gold to America. Sooner or later, I repeat, payment must be made for the supplies of grain received in this country in its own manufactures. If that which is the commencement of the real payment is postponed, matters will only be made worse. The sooner the real payment begins the better; for then the pressure on our own resources will be lessened. It is stated that there are no large stocks of goods in this country. So much the better for the men who are employed in manufacturing goods. If large orders, as I am informed, are arriving from America, the time may not be so distant when the aspect of matters will be changed. The noble Lord talked of the men working short time. I hope this will not long be the case, and that employment will become more general. I shall indeed be sorry, if the Bill of the hon. Member for Oldham passes into a law, that the power of producing goods should be diminished precisely at the time when it is most desirable to increase our means of payment in manufactured articles. Although, however, there are these symptoms of improvement, I should not think myself justified if I said that I did not expect that we shall have hard times to go through. I should feel myself as little justified in encouraging sanguine hopes as in exciting gloomy anticipations. It is impossible that so great a visitation as has overtaken the country can occur without bringing privation upon all. I have not so little confidence in the energy and stubborn perseverance of Englishmen as to apprehend that they will be subdued and overborne. It is our duty to bear with resignation the visitation which has been inflicted on us. We must do our utmost to alleviate the distress of those who are most exposed to suffering; and above all, we must beware of doing anything which might endanger the prospect of a certain supply of food. The noble Lord indicated an opinion that we ought to prevent our corn from being exported. So fatal a mistake as that of prohibiting the export of grain could not be committed. So long as those who send corn to this country are allowed freely to export it, England will be the depôt of corn for the whole Continent; and grain will be exported from it, or not, according to the state of prices in different countries. But this great advantage we gain to ourselves by this conduct, that we ensure the possession of the supplies in our warehouses, at our own door, and can avail

ourselves of them to a certainty on paying the price which can be obtained in the general market. If any prohibition is imposed upon exports of grain, corn will go elsewhere; it will not be accumulated here, and we should lose the advantage of having it in the country to meet our wants when necessary. Other expedients have been suggested for the purpose of affording relief in the present state of the country, to which, however, I will not refer at this late hour of the night. The one great expedient at which hon. Gentlemen have pointed in this debate, is the alteration of the currency. I believe that we could do nothing so unfortunate as to take a step which would, in my opinion, tend to aggravate the pressure on all classes of the community. If we were to begin tampering with the currency, we should add to the causes of pressure already existing an element of uncertainty which would affect all mercantile arrangements, and which would produce the still worse effect of raising the price of food and of other articles of consumption. If we were by such a measure to alter the value of every article in the United Kingdom, disturb the prices of goods and the wages of labour, and derange commercial transactions of every sort and kind from one end of the country to the other; if we voluntarily and deliberately add this element of confusion and distraction to all that press upon us already, we should voluntarily and deliberately increase an amount of distress and of difficulty already existing, of which it is not easy to calculate the magnitude, and which it may require all our patience to bear, and all our exertions even to mitigate.

MR. HENLEY thought the right hon. Baronet had followed the example and acted on the tactics of the right hon. Baronet on that side of the House. He had led them away from the main question, from the beginning to the end of his speech, and had brought into the discussion the value of the standard of 1819, and the question of tampering with the currency—a plan that had been too successfully employed in every discussion of this kind; in the same way, fishermen muddled the water, that the fish might not see what they were doing. He did not understand any alteration of the currency except paying 15*s.* in the pound instead of 20*s.* If it came to that, they had better do it openly; but it had not come to that, and he felt no wish of the sort. He must say, that on this occasion the right hon. Gentleman, as well as other hon. Gentlemen, had singularly evaded the one question the country wanted to have solved. Everybody admitted there was a great demand for money in consequence of the construction of railroads and the high price of food. The noble Lord (Lord G. Bentinck) had expressly stated the failure of the supply of food as the great cause of the pressure; though he was stated by the right hon. Gentleman to have attributed it to other causes, the noble Lord only named other causes as being added to the great one, and aggravating the pressure. But men were asking themselves this—with trade admitted to be in a healthy state, with no speculative purchases, with the prices of food natural—for, though high, they were raised by the scarcity of produce—why was it, with 9,000,000*l.* of gold in the Bank, business was strangled, and could not move? That was the question every one was asking, and no one who had yet spoken had attempted to answer it. The right hon. Gentleman on a former occasion said the Bill of 1844 had nothing to do with it; he denied having ever said anything against the Bank; but in his speech that night he had nearly repeated his former statement. Then he wished the House not to confound the banking department of the Bank of England with the issue department; he wished they were separated, and then there would be no confusion about them. He (Mr. Henley) thought there was some confusion in the mind of the right hon. Gentleman on this subject, as well as in those of other hon. Gentlemen. The real question was, had the fixing a certain limit to the notes the Bank of England might issue on securities, proved satisfactory to the trading interests of the country? They had introduced into this debate every subject that could lead the mind away from the question, the convertibility of notes, the taking gold to the Mint, and having it coined into sovereigns, which had nothing to do with the matter: the question was, what ought to be the issue on securities? It was said, the Bill had secured a convertible paper currency — on what principle? The most solvent party in the State issued 14,000,000*l.* on securities; but they allowed the country banks to issue 8,000,000*l.* on nothing. The right hon. Gentleman spoke of the run for gold in 1825; but that run was not on the Bank of England; it was on the country banks: that run was not stopped by sovereigns; it was stopped

by Bank of England notes. [The CHANCELLOR of the EXCHEQUER: That is just what I said half an hour ago.] No; if he understood the right hon. Gentleman, he said the object of the Bill of 1844 was to make notes convertible into gold, and that by that Bill they had escaped the run of 1825; but, he repeated, that run was not upon the Bank of England at all: it was on the country banks, because the public had no confidence in their notes; but they were perfectly justified as soon as they got Bank of England notes for them. A large portion of the commencement of the right hon. Gentleman's speech was occupied, not with a defence of the Bill, but a defence of himself; he said he had been censured for issuing deficiency bills, and he went at great length into the history of the transaction. He did not think the right hon. Baronet more to blame than all other Chancellors of the Exchequer; they were generally out at elbows by quarter-day; it was "a way they had," and he would say no more on the subject. But the right hon. Gentleman should not, in a delicate and insinuating manner, censure the Bank for not foreseeing what nobody foresaw. In March and February nobody suspected a pressure. Those capitalists who advanced to the right hon. Gentleman the loan, and who were quite as well informed on money matters as the Bank of England, did not foresee it, or the right hon. Gentleman would never have got it at the rate he paid for it. He would not have been so unwise as to reject the discount clauses, and now have to come down and ask for them. Another subject which had been introduced into the debate, as a sort of puzzle, was the question of circulation. What was wanted by the country was—if he might use the phrase—a sort of small change. For what was the circulation of the country? It was not the 19,000,000 or 20,000,000 of bank notes; it was the countless millions of bills. These represented the capital and property of the country; the bank notes were merely that portion of it which enabled men to exchange the other masses of capital. The question with him, and those who thought with him, was not whether the Bill of 1844 should be repealed wholesale. He believed that the evidence had fully established that the issues of the country banks wanted regulation. Now, that was part of the Bill of 1844. Men might differ whether these issues were regulated with the degree of stringency which was desirable. For his part, he thought that a kind of bribe had been offered to the existing country banks to hold their tongues, by giving them a monopoly for ten years. He put it to the House, whether it was possible in such a matter as bank notes that they could take the hard and defined limit of 14,000,000*l.*, and say that that should be the exact quantity which the varying circumstances of the country neither more nor less should want? When it was admitted that in some cases 100,000*l.* more might save the country, would they say they would always adhere to it? Suppose it should please God to inflict another bad harvest upon us, was the Government prepared to maintain this Bill in all its stringency? With our granaries completely empty—with no prospect of corn for us—so far as we knew—abroad, the right hon. Baronet looked forward to terrible times if it should please God not to give us a good harvest. Were the merchants and people of this country to be told that under no such circumstances would the Bill be relaxed? No human being could predicate what the harvest might be either here or abroad. This question must be answered — were the Government to reserve the power in their hands to relax the Bill if they should see cause, or were they prepared to stand by it under all circumstances? It had been stated by merchants in that House, that at that very moment their orders for corn were suspended because they could not negotiate their bills. The question was one from which they could not escape. The Government must be prepared to look it fairly in the face. He was one of those who were anxious to pay 20*s.* in the pound. He recorded his vote in 1844, that it was an unwise thing to attempt to fix a definite limit to that which could not be closely defined. It was his firm and deliberate opinion, that if a second bad harvest should occur, they would be forced to break through this Bill; and if they looked back to former experience, they would find that it often happened that a bad harvest did not come singly; on the contrary, it frequently happened that there were two or three bad harvests consecutively. He prayed to God it might not be so at the present time; but they were never sure of what might happen. With various degrees of intensity they had quarrelled with the discretion of the Bank. They said that the Bank was not to be trusted, and that it was necessary to place its issues of paper in such a

position that it could not abuse it, and that the ensuring of the convertibility of bank notes was the great reason for bringing forward the measure of 1844. The hon. Member for Huntingdon (Mr. T. Baring), the right hon. Member for Tamworth (Sir R. Peel), and the hon. Member for Clitheroe (Mr. Cardwell), had all spoken of the discretion of the Bank. It seemed now that to render the measure tolerable they were to rely on the discretion of the Bank. He did not say they should not speak of that body; but if the trade of the country was to be made to depend upon a judicious exercise of its discretion, was it wise or prudent to fetter the directors in such a manner as to run the risk of their strangling the trade of the country? These views were not new to him. He felt them very strongly in 1844, and he felt them strongly still. The vast amount of authority which was brought to bear in support of the measure of 1844, and the almost unanimous assent of the House to it, carried it to the country with a great measure of favour. He did not think, however, that the evidence of the Committee had justified that Bill. He admitted that that evidence had fully established the fact, that the issues of the country banks required to be placed under control; but the propriety of limiting the circulation of the Bank of England in the manner which that measure had done, was a very different question. He, for one, had always doubted the wisdom of it; and he hoped another bad harvest would not give them another proof of its bad effects.

Bill considered in Committee: to be reported.

House adjourned at half-past Twelve o'clock.

HOUSE OF COMMONS,

Saturday, May 15, 1847.

Minutes.] Public Bills.—1° Herring Fishery (Scotland). *Reported.*—Loan Discount.

3° and passed:—Turnpike Roads (Ireland); Lunatic Asylums (Ireland).

Petitions Presented. By Mr. Sheridan, from Owners and Occupiers of Land in the County of Dorset, in favour of the Agricultural Tenant-Right Bill.—By Mr. Arkwright and other hon. Members, from several places, for Regulating the Qualification of Chemists and Druggists.—By Mr. P. Howard, from Carlisle, against, and by Mr. Sheridan, from Piano-Forte Makers of London, in favour of, the Health of Towns Bill.—By Mr. Hawes, from a great many places, in favour of the Medical Registration and Medical Law Amendment Bill.

HOUSE OF LORDS,

Monday, May 17, 1847.

Minutes.] Public Bills.—2ª Huggen's College Incorporation; Factories.

3ª and passed:—Landed Property (Ireland).

Petitions Presented. From Factory Workers of Manchester and several other places, in favour of the Factories Bill; and from Dundee and Glasgow, against the same.—From Clonfert and Kilmacduagh, complaining of certain Provisions in the Poor Relief (Ireland) Bill.—From Staines and several other places, for the Adoption of Measures for the Suppression of Seduction and Prostitution.

PUBLIC GRANARIES.

The Earl of WINCHILSEA, pursuant to notice, rose to bring under the consideration of the House the expediency of establishing public granaries. He had every reason to suppose, from the information he had received, that if the coming harvest were late, the quantity of corn now in the country would be inadequate to the wants of the people in the meantime. In the year 1835, he remembered that the price of wheat was as low as 35*s.* a quarter; and if public granaries had been established at that time, 2,000,000 of quarters might have been bought for 3,500,000*l.*, and a sufficient stock might always have been kept on hand. What he wished, then, to advocate was this—that there should be national granaries in the hands and under the control of the Government, and that as long as the agricultural interests or the corn trade should supply the best quality of wheat at a reasonable price, those granaries should be kept closed; but that if the time should arrive when, from any danger of the crops at home, or unfair speculation, the corn traders should withhold a supply at a price at which the great body of the labouring classes could afford to buy, then the doors should be opened, and the price of corn kept as level and low as possible. We could not rely upon the harvest: it depended upon the will and bounty of a superior Power, and no foresight could assure us of an adequate supply. If, then, with our existing scarcity of corn, we allowed the stock we now possessed to be poured out to the assistance of our foreign neighbours (and he understood that within the last few days the French Government had bought in this country flour and wheat to a great extent), considering the dense mass of our population in the manufacturing districts and in the metropolis, a frightful state of things must be the consequence. He did not intend, however, to conclude with any Motion on the subject, but would

be satisfied with having called the attention of the Government to it.

EARL GREY hoped that his noble Friend would not think he was in any degree wanting in respect to him if he said that the subject to which his noble Friend had referred, was too large and important to be disposed of by any incidental discussion, opening as it did the whole question of free trade and various other matters; and that, as important business stood for that evening, he was afraid it could not then be discussed with advantage. He would, therefore, abstain from making any remark upon what had fallen from his noble Friend; not because he agreed with him, or because he differed from him, but because he looked with great anxiety to the state of the country, and thought that the subject ought to be discussed when more attention could be given to it.

FACTORY BILL.

The EARL of ELLESMERE said: In rising to discharge the duty I have undertaken of moving the Second Reading of the Bill now before your Lordships for limiting the Hours of Labour in Factories, I should be sorry to waste your Lordships' time with any prefatory matter of a personal nature. I must, however, take permission frankly and briefly to express my regret that a subject which has of late years excited so much interest and discussion elsewhere, but which has little occupied the direct attention of your Lordships here, should not have the advantage of being introduced to it by some voice more familiar to your Lordships' ears, and by some authority to which your Lordships are more accustomed to defer. My apology to your Lordships and myself consists in the circumstance, that having having taken, in the discussions which the subject has undergone in another place, a part which, however humble and occasional, was not inconsistent with the task I have now undertaken, I have been invited to its performance by a numerous body of those who are directly interested in the fate of this measure, and who earnestly desire its success. I must also state, that I am acting at the earnest desire of a noble Friend of mine, of whom I may say, as was said of certain great men whose images were missed in the procession of the Roman triumph, that, with reference to this subject, his absence from either House of Parliament makes him even more conspicuously present to the mind than if he was present in either. His labours on this subject, from their earnest sincerity and singular perseverance, as well as from substantial sacrifices which have attended them, at least entitle him, in my opinion, to the readiest acquiescence in his wishes, and to the largest measure of co-operation and support in his views which the opinions and abilities of any friend of his enable you to afford. My Lords, I have spoken of the subject of this Bill as one which, comparatively speaking, has occupied little of your Lordships' time and attention. I have, nevertheless, the satisfaction of feeling that I am not under the difficulty of recommending to your Lordships the adoption of any new principle of legislation, and still less of any origination in this House of any proposition whatever. My Lords, the measures now proposed for your acceptance have originated in far different quarters than in the mind of one so little entitled to your Lordships' attention as myself. They have originated in the crowded receptacles of human labour—they have been elaborated in the factory and the alley, amid the whirl of machinery, and in those long rows of lodging houses which grow up around the giant chimneys of Lancashire and Yorkshire. This Bill has its root in the stern experience of the husband and the father. From this humble, but, I am sure in your Lordships' view, not contemptible seed, the idea has mounted upwards in the shape of such petitions as those which have encumbered your Lordships' Table. Men of higher education—men whose lives are one professional and practical exercise of philanthropy, have assisted the progress of the measure to the ears of the Legislature by their sanction and their advocacy; medical men in every branch of practice, clergymen of every religious persuasion. Springing from such a source, founded on such a basis of feeling and opinion, it has made its way through much difficulty against powerful opposition, till it has obtained the sanction of an influential portion of the Cabinet, of a conclusive majority of the House of Commons, and, so supported and recommended, has reached the Table of your Lordships' House. I state these things, my Lords, not for the purpose of inducing any one of your Lordships to abdicate your privilege of free discussion or of deliberate judgment. Latest and least of the accessions to your Lordships' House, I should be sorry to signalize my first en-

deavour at addressing your Lordships by proposing any surrender of your independence, any infraction of your privileges. Considering, however, the nature of the question at issue—considering that in the majorities which have sanctioned this measure elsewhere—considering that every debateable point has been argued elsewhere by men who have stood on their own weary feet at the mule, and pieced the thread with their own hands, and who, by the strong exercise of that strong intelligence which appears to me an indigenous plant of the manufacturing districts of England, by their perseverance in honest industry, have raised themselves to the House of Commons—I ask you this at least—I ask you to receive this Bill with something of that *primâ facie* deference with which, some months ago, I as a Member of the House of Commons should have received some measure of equity law perchance, which had come down to that House, having passed through the ordeal of those legal minds which adorn and instruct, and in such measures greatly govern your Lordships' deliberations. My Lords, the principle of this Bill has been impugned, as involving legislative interference with the rights of capital and labour. I might slur over this objection on the ground of repeated precedent. In the House of Commons I would do so; but addressing your Lordships, who have been less engaged with the subject, I think it more respectful briefly to attempt my own vindication on this head. I am not one of those who presume out of their own ignorance or idleness to cast reflections on the acute and laborious men who have devoted themselves to the science of political economy, nor am I a sceptic as to the general validity of the main tenets of that school, nor an impugner of the truths which it professes to have demonstrated. I am prepared, however, if necessary, to contend that I am advocating nothing inconsistent with the doctrines of political economy at all. I do not wish to enter at length on such debateable ground, but I would much rather refer your Lordships to an argument which you will find in the debates, delivered by a noble Earl now on the Ministerial bench, who drew the just distinction between restrictions on labour and capital devised to increase wealth, and those intended for other purposes — to guard against want and physical evils. My Lords, I dislike a meddling Government. I believe, with him, that for the creation of the greatest producible wealth in any given community, and therefore for the widest diffusion of that material well-being which attends the production of wealth, the policy of abstinence from legislative meddling is the surest policy; and, therefore, I think it incumbent on any one who departs from that policy to assign distinct grounds for his justification. The master manufacturer and the operative have both a right, I admit it, to say to me, "you are interfering with my free action, you are selecting mine from a crowd of other occupations, to make it the subject of experimental legislation. I claim an explanation. I demand an exceptional reason for your conduct." My Lords, I find that justification, as most of your Lordships will anticipate, in the inherent, inalienable tendencies of that agent which Watt, forced into the service of man, as applied to the four great branches of our textile industry which come under the provisions of this Bill: I mean the tendency, in the first instance, to attract to its ministration the labour of those whom in respect of age or sex, or both, nature never intended for hard and continuous labour; and, next, in its tendency to make that labour continuous, and unceasing, and protracted, to a limit of physical and mental endurance, which, in my opinion, no Christian Legislature can see its subjects approach without acknowledging the duty of interfering—if it can interfere—for their relief and protection. It is on this ground, my Lords, that, finding as I do with regard to these branches of industry, the means and opportunity of interference, I claim the right to exercise them. I say, my Lords, finding the means and opportunity, for this also is an essential element of practical interference, and is my reply to an argument, which, though often used, is, I think, singularly inconclusive—to a course of reasoning very commonly adopted towards any man who is hunting down a particular grievance, and which endeavours to divert his attention by pointing out fifty other objects in pursuit. My Lords, there is doubtless enough of abuse and misery and oppression in the world to make a sentimental or flighty philanthropist fold his arms in despair. My Lords, I invite your Lordships to interfere with these large collective aggregations of labour, because theory and experience tell me you can do so with effect—because they are open to inspection, and capable of control—because you can do much to prevent abuse, and, if the hard necessity arise, to punish it. I

am aware that this very feature of the case has been alleged as a reason for non-interference; it has been said that the factory system is the very department of our industry in which abuse and oppression are most discoverable, and can least escape detection. We have been repeatedly told that we take an unphilosophical view of the effects of the use of machinery; that it is the great diminisher of the sum of mental and physical labour, the fertile source of leisure and contentment; and that we should be cautious how we meddle with its operations. I admit these facts; but I demand your Lordships' attention to some further facts connected with the employment of that fixed and expansive capital, into the scope and effect of which it becomes a duty from which, as a legislator, I cannot shrink from inquiring. There is, in my opinion, no grander result of human intelligence than a large cotton mill; but I say this of it, that from the moment its engine is started, raised by the capital and governed by the will of the acute and enterprising individual who sits in its office, it becomes the direct interest of that presiding genius that its motions should be as unceasing and continuous as human contrivance can make them—that there is no part of that vast system of wheels and levers which can rest without loss, or, in the ordinary and average course of commercial prosperity, pursue its motions without gain. The human labour attached hand and foot to that system, for the most part, admits not of relays. What is the natural, the inevitable consequence of this? Why, that which has resulted—that with which, step by step, gradually, cautiously, effectually, and successfully, you have been endeavouring for thirty years to moderate and curtail, in wise defiance of the stated principles of political economy. That the strong impulse of gain is placed in direct and dangerous antagonism with the claims of humanity—that it almost invariably prevails in the struggle, as for a time it was left, and if left to itself, unchecked and uncontrolled, it reduces a part of your population to the condition of slavery, unmitigated by that interest in the physical well-being of the party which does operate on the slave-owner of Carolina. My Lords, such things have been; to prevent them you have repeatedly interfered, and your exertions have not been in vain. Now, my Lords, does the same reason hold good with other departments of human industry in which machinery of human contrivance is less concerned? I say machinery of human contrivance, for I hold that, in some sense, the earth itself is a machine—that the clod of the valley in which you drop the germ of future vegetation is as much a machine as that in which you deposit your portions of raw cotton. In another place, my Lords, I took the liberty of telling the lords of the soil, that in this point of view I considered them as monster manufacturers; and I re-assert that opinion here. Your Lordships, in the management of hereditary estates which have descended to you from the Conquest, are connected with machinery as well as Mr. Greg; but, my Lords, there is a difference between the machinery of God's contrivance and that of his creatures. The earth will work alone, in the silence of night, under the stars of heaven, unlit by your gas, unfed by your fires, admitting at intervals, which nature indicates, the regulated assistance of man, taking him into partnership, but with no direct tendencies to make him its slave. Such, my Lords, are the considerations which have induced me to overcome the repugnance I individually entertain to meddling with concerns which, from their magnitude and complexity, I dread to approach. If they act upon your Lordships' minds, as they have acted upon mine, as they have already, in repeated instances, acted upon the Legislature at large, the question of principle is disposed of, and we enter upon the more delicate and practical consideration of the degree to which we shall extend our interference. My Lords, after long discussion, after repeated consideration, the House of Commons has decided, so far as that branch of the Legislature can decide, that the labour of women and young persons under 18 years of age shall be limited to ten hours of work, exclusive of the two which are necessary for refreshment. I am bound to state, though no one of your Lordships can be ignorant of the fact, that from the necessary intermixture of the hands of different ages and sexes in the operations of the manufacture, this provision will include in its indirect operation those whom it does not directly affect. Adult man is not affected directly by it; but I can by no means avail myself of that circumstance in arguing as to the real effect of the measure; well knowing this, the adult population of the manufacturing districts so far from shrinking from the consequences, is to an enormous extent interested in its acceptation by your Lordships. I believe that an overwhelming ma-

jority of it is at this moment trembling with expectation, perhaps with just apprehension, that the cause they support may suffer prejudice from my own incapacity as an advocate. I do not state this as an argument to your Lordships—I admit it—but as a subordinate consideration to myself. I think it an unquestionable collateral advantage that its acceptance will realize hopes which have been entertained and fostered since the attempt of the late Sir R. Peel, in 1815, whose measure, which was on the verge of completion, was nearly a fac-simile of the present. I think it a vast advantage that it will put a close to a peaceful and orderly, but an intense and peculiar agitation; but I do not state this as a reason for influencing your Lordships' better judgments. I think a Bill, supported by such majorities in the House of Commons entitled to much respect; but I am not here to register the decisions of that House, or to induce your Lordships to do so. I accept this measure because we find, after some hesitation—after listening much, and thinking much, and speaking a little, I think it a beneficial bargain, by which the parties to be affected will obtain certain advantages of incalculable importance to them, at a risk of certain sacrifices which it is not possible precisely to calculate, but which will leave at the least the balance of advantage largely in favour of those who have to make them. Two main objections have been taken to the measure, two principal and inevitable consequences have been held out as certain to ensue. It is said that, by striking off a twelfth from the time during which, when employment is rife, you are at present able to labour, you will either diminish wages or cause defeat from foreign competition. I am not bound throughout to argue with those who predict both these consequences, because I think the one consequence lost in connexion with the other. For the first of these consequences I have always advised those with whom I had been in communication to be prepared, and I have certainly always received the advice that, to the best of their ability, they had counted the cost and were prepared on behalf of themselves and their families to encounter it. I am not fond of prophesying in matters of this description; but if on the one hand I am not prepared to risk my reputation for accuracy on a calculation of the exact effect upon wages, on the other, I ask any man to favour me with a calculation of the amount of actual domestic economy which may be effected by the mother of three children who returns to her home two hours sooner than at present. I cannot calculate this, because I cannot sew—I cannot darn—I cannot wash—and I cannot cook—still less can I calculate the evanescent quantities, the social effects of leisure and repose to the mind, or lay down in advance statistical results on bodily health or longevity. I have no doubt whatever that the average sum total of these elements, if they could be calculated, would show a set-off to any probable diminution of money wages, which will one day be satisfactory to those who have co-operated in passing this measure. On this subject I must also call your Lordships' attention to another circumstance—the deductions are made, when the article is brought in by the operative, for waste and spoil. My Lords, from such information as I can obtain, it is my firm belief that nine-tenths of that spoiled will arise in the last weary hours of the operative's present average toil. I have never met with any man of any class, conversant with the subject, who has not laid much stress on this circumstance. I pass, my Lords, to the question of foreign competition. I do not profess to receive with indifference, from men for whose station, acquirements, and abilities I have profound respect, their ideas on this subject; but I am consoled by the reflection that no step has been taken in this matter which has not been preceded by similar warnings of ruin, and similar threats of emigration by them, which I doubt not have assailed many of your Lordships as they have assailed me. And yet, my Lords, I hold in my hand a paper which shows that England has yet held her own against the competition of the world, and which leads me to think that if she is allowed to suffer decay, it will originate rather in a diminished supply of the raw material than in any legislation which, for the sake of the highest interests of humanity, we may have consented to adopt. My Lords, I must say that the language of some of these parties has varied very much with circumstances, in a very short space of time. I am addressing many now who retain, through evil report and good, the opinions which they have uniformly expressed in favour of restrictions on the free importation of corn; but I doubt whether the sternest adherent to that system would not admit that, whilst those restrictions existed, the case of the master manufac-

turer, as an opponent to this Bill, did not present a difficulty in the way of limiting the hours of labour. My Lords, I speak for myself at least, and say I had no occasion to broach what was then urged by the millowner. From what I have lately heard, I can hardly believe that the old corn law and the duty on raw cotton are not still on the Statute-book. I look for them there in vain; but I also listen in vain for a repetition of language which was used at the period when a struggle was going on for their removal. Then the grievance and the evil of long hours were admitted; then the factory delegates were told, it is true, that overwork is decreasing your stature, but do not agitate for the immediate alteration of those laws. Join us in agitating to remove the real obstacle to that measure, and that removed you shall gain your object at least with our consent, if not with that active co-operation which might be too much to expect. My Lords, such was the nature of the language—and I have proofs of it—used by some Gentlemen, who, doubtless in the heat of the moment, in the ardour of pursuit of a great political object, thought and intended what they said, but who now discover that free trade and relief from duty is no guarantee against the danger, and is not to be spoken of as a palliative of the effects of foreign competition. My Lords, I believe that from a concourse of circumstances peculiar to the character of this nation, England is in a condition to set an example to the world in this matter, as she has done in others; that she is able to do right and fear not; and, more than this, that her example will be followed, and that foreign statesmen who may not be disposed to follow it will be pressed by that influence of public feeling and opinion which is acting upon ourselves. If I look to Prussia, I see the evidence already on record in the acts of her Government; and I find that the proceedings of that Government were directly founded on that example of England which I trust will still prevail. I know nothing in the character of the French nation which induces me to suppose that public feeling will be far behind our own in the consideration of this subject. I have in my hand at this moment some reason to think that French statesmen are directing their attention to what is passing in England, and are looking on in a spirit of approbation. It is a letter addressed to Lord Ashley by Baron Charles Dupin:—

"Paris, May 3, 1847.

"My Lord—Can I inquire from your kindness to know whether the third reading of the Ten Hours Bill shall soon take place, and whether this Bill shall likely pass into the House of Lords before the end of this Session?

"I have now to write a report for a new law relating to the protection of children in our factories. I have perused anew all your benevolent exertions in favour of children, and I shall be happy to present them to the esteem and admiration of my countrymen.

"I am, my Lord, with the highest consideration, your most obedient servant,

"Baron Charles Dupin,
"Pair de France.

"To Lord Ashley."

What has been hitherto that answer to all who in the various other countries of the world have been disposed to check the evil of excessive toil? Why, that no step could be taken in advance while England maintained her ground. With respect to Spain, I have a statistical account of its cotton manufacture:—

"The total number of steam-engines in all Spain is 86; average power of each, 16.49 horses; aggregate power, 1,418 horses. Total number of water-wheels, 31; aggregate power of water-wheels, 383 horses; average power of each wheel, 12.35 horses. Total number of mills worked by animal power, 27; average power of mills, 2 horses; aggregate power of mills, 54 horses. Total number of cotton-mills in all Spain, 144; total number of cotton spindles, 468,700; average number of spindles in each mill, 3,254. Two hundred and sixty days of twelve working hours in a year; average numbers, 18's; each spindle produces on an average three ounces of No. 18's per day of twelve hours.

	Annual Produce.
$468{,}700 \times 3 \times 260 =$	22,849,125 lb. yarn.
Add 10 per cent waste	2,284,912
Total	25,134,037 lb. raw cotton imported.

The real quantity of raw cotton imported into Spain has never been clearly ascertained. According to a Government account, in the three years ending 1840 the average quantity imported was 12,703,233 lb.; whilst according to the statements of the Catalonian manufacturers, the quantity imported in 1841 was 18,409,407 lb. According to the figures above given, the quantity imported in 1846 was 25,134,037 lb. I am confident I am not far off the true quantity. I took every pains, and employed persons on whom I could rely to assist me, in ascertaining the number of mills, the number of spindles, power of engines, &c.; and with these data, assuming the fineness of the average quality to be No. 18, it is impossible to be far wrong. The number of working days in the year does not exceed 260. Every saint's day in the Roman calendar is strictly observed as a *fiesta*, or holiday. All the mills are closed; but the hands receiving weekly wages are paid for the whole six days of the week, though it sometimes happens that two *fiestas* fall between Sunday and Sunday. The condition of the factory hands is far superior to that of the same class in

other countries; that is, that while they do not work more than an average of five days per week, they are paid for six, at a rate at least 20 per cent higher than in Lancashire. I do not know if this explains the turbulent character of the Catalonians, I think not; certain it is, they are a spirited dare-devil set. At all events, it is better to have a well-fed easy-to-do class of poor, though noisy and insolent, than the want and squalor often seen in Salford. The master spinners are in a brilliant position. Ready sales and very large profits. The manufacture is greatly on the increase, and ere long Spain will count as many spindles as France. There never was a greater error than to suppose a want of energy in Spanish manufacturers, or anything approaching to listless indolence in the workpeople. I am most anxious to point out to your Lordship that notwithstanding the mills do not work more than five days, or sixty hours per week, wages maintain the highest *maximum*, and masters make large profits whilst competing with smugglers. Cotton mills in France profess to work seventy-two hours per week—that is, when on full time. Taking the time really worked for the last four years, there can be no doubt the average would be much below sixty hours per week. The condition of the workpeople there is engaging the anxious consideration of all in authority. A great and speedy amelioration must be attempted, and will be carried out, or a fearful convulsion must come, and will not tarry. Mill hands do not possess a very long-suffering patience. The utmost discontent prevails amongst them. They have heard of our free-trade revolution, and now understand it rightly, as intended to benefit the poor. The Ten Hours Bill will not have passed the Lords a week before it will be known from one end of France to the other—before it will be discussed in all the mills and workshops throughout the country—before a million of imprecations, '*Notre sacre Gouvernement, nom de Dieu, si*'—will have partly expressed the pent-up feeling which cannot much longer be kept under control. With respect to the Ten Hours Bill, I feel no doubt about it now. It must do good. Nor can I see any probability of inconvenience or loss to masters arising from such a law. It is nonsense to suppose it can lessen our ability to undersell in foreign markets; and as to the impolicy of interfering with the liberty of labour, such a doctrine leads at once to brutal slavery, and every species of bodily prostitution. We all buy in the cheapest market, so does the manufacturer; he gets as much as possible out of his workpeople at the lowest cost. It is the same in all countries; and it is a remarkable fact, everywhere and at all times the same—the more hours men work in any staple branch of manufactures, the less they receive in the form of wages."

My Lords, these, and such as these, are considerations which divest me of any serious apprehension for the results of the measure I propose—which inspire in my mind a strong hope that its advantages will not be purchased at the price which some predict. It is said sometimes that, after all, these advantages will be small—that we overrate the opportunities which a reduction to ten hours will afford to the artisan; and it would almost appear as if some supposed that his time may be as profitably employed in an honest and respectable occupation as it will be when at his own command. There may, there probably will, be cases in which these hours may be misspent; the factory may be exchanged for the ginshop. I am not of opinion that the hours so torn from the mill and the loom will be sufficient to raise materially the standard of education or mental culture. I shall speedily witness such results; but I am not caring to inquire where or how the man, woman, or child who has worked hard for ten hours employs the remainder. I do not think, on the average, that the population of Manchester is the least disqualified for exercising its own judgment, and following its own tastes, in this particular, or in the least requires any meddling supervision of mine. My Lords, in the course I have taken, in accepting the conduct of this Bill, I have undertaken a given responsibility for its eventual consequences. Should it prosper to the extent of my hopes and expectations, and should I live to see that result, I reserve to myself, as my sole but all-sufficient reward, the gratification of that spectacle. Popularity I have not sought, and utterly disdain. If that reward should eventually fall due, it is impossible that the intelligence and justice of the people should not place that saddle on the right horse. It will be due, in the first instance, to my noble Friend; it will be due to the master manufacturer, who has not allowed himself to be swayed by circumstances which would insure his own interests, in securing, as I believe, completed contracts with others. It will be due to those who have worked through the long hours of this Bill in the workshop of the Legislature, and not to the labourer of the eleventh hour, who now beg your Lordships' pardon for so long trespassing on your Lordships' attention. The noble Earl concluded by moving the second reading of the Bill.

LORD FEVERSHAM seconded the Motion. He thought that the present measure was one of the greatest importance to the moral and social welfare of the operative classes employed in the manufactures in this kingdom, and, if carried, would enhance the national honour and character. The people deserved this measure. They had for many years besought Parliament to grant them a Ten Hours Bill; and he thought that the manner in which they had agitated the question entitled them to

the most favourable consideration of the Legislature. They had sought to obtain it by the most peaceable means; they had never had recourse to violent agitations, to strikes, or combinations against their employers. They never had committed a breach of the peace at any of the great meetings held upon this question; but their conduct had always been characterized by regularity, and by manifestations of loyalty. It would, therefore, be only an act of justice to those loyal, peaceable, and industrious men to pass this Bill. The question of wages had been discussed at the public meetings over and over again. At the meetings in Yorkshire and in Scotland the question was invariably submitted to the working people—"Were they or were they not prepared to submit to a reduction of wages, in case that should be the consequence of the passing of this measure?" and their answer always was, "Rather than lose the benefit we anticipate will result from this Bill, we are willing to submit to a reduction of wages." It appeared to him that one great advantage of this measure would be, more constant employment, and a more regular rate of wages, without those fluctuations which attended the present system; and he thought that in an average of years there would not be any diminution in the amount of wages. Whenever this subject had been brought forward in Parliament, it had always been prophesied that it would ruin the manufacturers; but in no instance had these predictions been verified. Would so large a number of master manufacturers have supported the measure, if it had been of so ruinous a character? Who was the individual that brought the Bill into the other House of Parliament? It was the Member for Oldham, who had spent a long life in conducting a large manufacturing establishment, and who had reared up his sons in the same occupation; and it was supported by upwards of a thousand of the principal master manufacturers. From the practical knowledge which such men as these possessed, they entertained no apprehension that this Bill would inflict any injury upon the manufacturers of the country. With respect to the argument that legislation upon this subject would ruin the manufacturers of this country, he would remind their Lordships of what had been already done in relation to it, and of the effects which had been produced thereby. With respect to legislation on this subject, in 1802 the late Sir Robert Peel introduced a Bill for limiting the number of hours during which children of certain ages should work at certain employments. In 1815, another Bill was brought in, having a more general application; but the matter was then referred to a Committee, which took evidence upon it; and amongst others, the late Sir Robert Peel himself bore testimony to the necessity of such limitation. The Bill did not succeed in that year; but in 1819 a Bill was carried, regulating the hours of labour for children from 12 to 16 years of age. In 1825, another Bill was introduced; and in 1831, Sir J. Hobhouse introduced a Bill limiting the hours of labour to ten for children under 18. Another Committee was then appointed. Practical men of various classes were examined before that Committee; and a great number of medical men of the highest reputation bore their testimony to the serious consequences resulting from the absence of the limitation then proposed. Subsequently a Motion was made for a Commission to collect further evidence; and that Commission having issued, and the evidence having been taken, the report of three Commissioners confirmed these statements in every respect. The result of all these inquiries was, that Lord Althorp introduced a Bill, by which the system of relays was established; and in 1844 Sir J. Graham brought in another Bill to reduce the hours of labour from nine to eight with regard to children below the age of 13. So the question went on from 1819 to 1844, the result being, that the hours of factory labour had been greatly ameliorated. He would now show their Lordships what had been the result as affecting the cotton trade and the manufactures of this country. [The noble Lord read accounts of the consumption of cotton wool in our manufactories between 1819 and 1845, namely, that in 1819 the consumption was 39,000,000 lbs.; in 1844, 492,000,000 lbs.; while, in 1845, it amounted to 532,000,000 lbs.—an increase between those years of 400 per cent.] All experience, therefore, was in favour of the measure, even with reference to its effects upon our manufactures. But the evil consequences of long hours of labour, in restricting the means of instructing the labouring classes, demanded the serious consideration of their Lordships; for it was impossible that that could be in a satisfactory condition unless the hours of labour were reduced; and it was certain

that the effect of the present duration was to induce neglect of the ordinances of the Sabbath. He hoped, therefore, under all the circumstances of this most important case, that their Lordships would not refuse their consent to the second reading of this Bill. He was not aware what course would be taken by Her Majesty's Government upon the subject in that House; but he would fain hope that they would be unanimous in favour of the Bill. In the other House of Parliament, the noble Lord at the head of the Government had most honourably redeemed the pledge he gave to his constituents in the city of London in the autumn of last year, when, addressing them, he told them that one of the most important subjects which Her Majesty's Government would take into their consideration, was the moral and social improvement of the people, with the view of raising their condition and character. This Bill was, indeed, only a part, but it was by no means an unimportant or insignificant part, of the great question. The noble Lord had, however, redeemed the pledge he gave on the part of the Government; for, although he was in favour of an Eleven Hours Bill, yet, after he found that there was a large majority in favour of a Ten Hours Bill, rather than that the measure should be rejected, he gave his vote in favour of the third reading of this Bill. Measures had been passed by Parliament which had benefited the master manufacturers; the duty on wool had been repealed; the corn law had been repealed; and it had been held out to the working classes that, after the corn law had been repealed, they should have this measure. [The Earl of Radnor was not aware of any such understanding.] There might not have been a positive pledge, but there was a general understanding upon the subject. With respect to the principles of political economy which this measure was supposed to contravene, there were, on the other hand, to be considered the principles of humanity, of justice, and of the Christian religion; and he trusted that the cordial, zealous, and, he hoped, unanimous support of their Lordships, would be given to a Bill which would confer a great benefit and boon upon the working classes.

Lord BROUGHAM said, he was sorry to interrupt the unanimity of the House, but he, for one—and he hoped he should not be the only one—looked at this measure with great alarm. The more he had considered this measure since it was first propounded some two years ago, and especially latterly, since it was accepted by the other House of Parliament, the more alarm he had felt. He was happy to see present so large a number of the occupants of the Episcopal Bench, for he had no manner of doubt that they had been induced to attend from the discussions which they had read on this subject, and from the tendency which it had been represented to have to promote the comforts of the working and more unfortunate classes of the community, and from its connexion thereby with a cause ever so dear to their hearts, and which was placed under their superintendence—the moral and religious concerns of the people. He should, however, do his endeavour, by Divine assistance, to lay before them such views of this question in its relation to the real good of the working classes—in relation to the moral and religious interests of those classes—in relation to the only chance they ever could have of improving themselves in temporal matters, and of carrying on with that an improvement also in their moral and religious condition—he should endeavour, by addressing himself mainly and principally to those considerations, to show the right reverend Prelates that this Bill was not such a measure as they ought to support; for he was one of those who regarded it as enough that the whole, or nearly the whole, of this question was bound up in the interests of the working classes. It was not on account of the capitalists or the commercial classes of the country, nor of the upper classes of the community, that he viewed this question with anxiety, and this measure with alarm; but it was on account of the poor and working people of the country—those who had no capital, who drove no trade, either domestic or foreign—those whose only wealth was the labour of their hands, and who gained their only profit by the sweat of their brow—that he opposed this measure; and it was his deep and conscientious belief—a belief strengthened by his experience ever since he entered public life, or was able to reason on such subjects—that the interests of this large class, above all other interests, required that no interference should be suffered, or by any power in the State attempted, with the free employment of that which was their only wealth, their only capital, and their only means of subsistence—the labour and honest industry of their hands. It might be objected to him, that he was about to enter into the consideration

of this question on the almost forbidden ground of political economy; but there was no connexion between the question and the doctrines of political philosophy, except this, that if these doctrines were sound and were founded on plain common sense, and were the result of every day's experience, then every part of the proposal made in this Bill was an outrage on that common sense, and an ostentatious neglect of the lessons taught by that experience. To relieve himself, however, from the odium which might attach to him on this ground, he would ask if it required a person to be a political economist to be able to say that, if a man hitherto had been allowed to work 12 hours, but was now prevented by law from working more than 10 hours, he was not likely to do the same amount of work and have the same amount of wages as before? This was not political economy—it was judging of the matter by the doctrines of plain common sense; and the result was the same whether they tried it in goods—say cotton-twist—or in time. If a man for spinning twelve ells of cotton-twist got 6*s.*, was it not clear that for five-sixths of that amount he would only get 5*s.*? It was admitted on all hands—and his noble Friend who commenced the debate admitted it frankly, because there could not be a doubt of it—that there must be a reduction of wages if the operative classes were not allowed to work the same number of hours. Having relieved himself from the odium connected with this point, he would observe that this was a question which ought to impose upon their Lordships great caution, prudence, and circumspection, as one affecting large and important interests. Our exports amounted, one year with another, to somewhat about 50,000,000*l.*; and how much of this consisted of the produce of each of the four great departments of industry affected by the Bill—the cotton, the silk, the flax, and the woollen manufactures? Not less than from 37,000,000*l.* to 38,000,000*l.* This was a marvellously grave subject in legislation for any man to volunteer himself upon. It was one that ought to be approached with the greatest possible calmness and circumspection, because it was surrounded with interests of so enormous a magnitude that a false step might produce consequences which hereafter it would be found impossible to grapple with, and because a step once taken could not be retraced. A man must have great confidence in his own powers who would say, "It is a vast measure, which touches, no doubt, 37,000,000*l.* of your trade—almost the whole, indeed, of your foreign trade; but I have so much confidence in my theory that I have no doubt whatever you may safely move in the direction I propose." Men could see very clearly what was past—they could see less clearly what was beside them—but there was one direction in which they could not penetrate at all, and that was the direction of the future. It, therefore, behoved a man to gather all the wisdom he could by looking at the experience of the past, and to fortify himself by all he could learn by looking around him in the present, before he set his foot forward in that dark and hidden region of the future into which mortal eye could not penetrate. He (Lord Brougham) was not, however, one of those who said that on no account and in no circumstances should labour be interfered with so as to give protection to parties who, from their naturally helpless condition, required it; and he might be permitted to observe that he did not object to limit the labour of very young children. But even here there were difficulties; and as to children under thirteen, what had been the effect of our legislative limitation? In the whole kingdom of Scotland, numbering between two and three millions of people, no child under thirteen was allowed to be employed in factories. What had become of those children? He grieved to say, contemporaneous with their exclusion from the factories, meeting after meeting had been held in a great and important city—he meant Glasgow—which showed they were there overwhelmed with a numerous body of destitute children, many of them orphans; those unhappy children were in a state of destitution, accompanied, as that condition ever would be, with moral and religious degradation, which made those interested in their welfare look back with deep regret upon the times when there was unrestricted employment for them in the factories. There was, however, one point in which Parliament had done well, and that was in the establishment of a narrow inspection upon the proceedings of millowners. He spoke on this subject without any prejudice in favour of millowners; he had scarcely known more than half a dozen of them in his life, highly estimable as a class though they were; but he spoke in favour of the workmen and their children. Previous to the time when the measure of the late Sir R. Peel was brought in, it was not to be denied that

there existed peculiar circumstances which required a remedy. He had seen romances describing them, which at one time he thought might be fairly accused of exaggeration; but on inquiry he found that the picture had not been drawn in colours too horrid. The only difference was, that there was exaggeration in the picture, produced by the poetical license being resorted to of combining on one canvas all the varied features of the evil as spread over a great number of localities, but that each feature of which the picture was composed really did exist. It was, therefore, right that a remedy should have then been applied; and he now believed the factories were so improved in themselves, and so well looked after, that no harm whatever resulted from the system; but it was the greatest of all fallacies to say, that because at one time we interfered to a limited extent in one particular direction, and that we were compelled to interfere, therefore, when the mischief had been removed, we had a right at all future times to interfere in any direction, and to any possible extent, when there was no case of abuse, when there was no crying enormity calling for interference in the same way. This desire for interference had given rise to every sort of absurd legislation; and he would ask what was the nature of this measure? It was a great mistake to call the Bill a Bill for diminishing the number of hours labour of boys, girls, and women only. The fact was the Bill was nothing like what it professed to be. It stopped all labour at every mill employed in the four great staple manufactures of the country for more than ten hours a day. It professed to stop the labour of adult women, but not that of the men; but it did, nevertheless, stop the labour of adult men above ten hours, just as much as if they were included in the Bill, because it was impossible they could work unless the labour of the others were continued—in short, the Bill was just as much a Bill prohibiting any person of any age, and of either sex, to work beyond ten hours a day, as if it contained an expressly prohibitive clause to this effect. 211,000 adult women, above twenty, were employed in factories, and 35,000 under twenty. All these were to be taken under the stepmother protection of the Legislature. It was not contended that the mills could go on without their labour; but as they were prohibited from working beyond ten hours, the adult men who depended upon them would not be able to labour more than ten hours; to say, therefore, that the Bill prevented only women and young children from working more than ten hours, was just as correct as if he were to prohibit a servant of his from going to Barnet, or to the north of London, in the first instance, and then say, "Oh, I do not prohibit him from going to York; I only say he shall not go ten miles north of London." Why, if he were prevented from going the first ten miles, how was he to get to York? Just so, if young people were to be prevented from working in the manufactures of cotton, flax, silk, or woollen, by which upwards of 1,000,000 of working people were supported, such a measure would have the effect of likewise preventing the adults being employed. Another point of great importance was that the limitation of labour to ten hours per day was a limitation of it to five days per week. This, indeed, was not only the tendency, but the avowed object, of the Bill; and he would ask what would be the consequences to those who, according to his noble Friend (the Earl of Ellesmere), professed themselves willing to adopt this somewhat extravagant step? The first consequence would be a diminution of one-sixth part of the trade; for how could the same quantity of goods continue to be manufactured, unless means were discovered for making the whole amount of labour to be distributed over five-sixths of the time? That was to say, six and a half millions of our exports, besides a similar proportion for the home consumption, in these great branches, would be cut off and swept away by the operation of the Bill. It was enough if it was shown that our whole manufactures would be diminished one-sixth, to conclude that the people who would most suffer would be the workpeople. How would they suffer? At once he replied by a diminution in their wages, of which there would be an absolute necessity, without the possibility of an escape. An example of this might be shown in the case of a manufacturer who employed 1,600 workmen in two mills, driven by two steam engines. One of the engines stopped for necessary repairs for one hour in the week, and he was told the wages of those 800 sensibly felt the reduction which it caused. A half-penny or a penny per day was the merest trifle to any of their Lordships; but the effect of sudden and temporary stoppages upon the factory operatives, entailing such a loss, was really one of the most painful parts of the subject. The earnings of

these poor persons were always at the lowest possible point at which human nature could be sustained. That was the necessary consequence of the general competition to which manufacturers were subjected; and the labourers were necessarily close cut to the quick, as it were, by every little stoppage to which they were subjected. But what were their Lordships going to do now to the factory he had mentioned? They were going, not to stop one of the steam engines for one hour in the week, but they were to stop both the steam engines for twelve hours in the week. They were going to prevent the people from working more than five days in the week at twelve hours a day, or six days at ten hours a day—it signified not which—and the consequence might be conceived, when, according to the statement of a respectable manufacturer, the stoppage of half his steam power for one hour in the week was sensibly felt by his labourers as depriving them of some of their wages, and consequently of some, not of their comforts, but of the necessaries of life. Now, however, their Lordships were to interfere to twenty-four times the extent of the picture which he had been drawing. Then the millowner would be all the worse off for this; they took away one-sixth of the master's profits; and in fact—and this was the worst part of the whole story—a great deal more. It was accepted as a fact, that working a mill ten hours a day, that was, five days in the week, was just sufficient to pay the expenses of the establishment, the wages of the workmen, and the cost of the goods manufactured. The entire profit made by working a mill was consequently derived in the other two hours, or in the sixth day, and the whole of his profit they would, by this enactment, completely sweep away. If there were any doubt about this, let inquiry be made; it had not been denied elsewhere, and it was assumed on all occasions to be a correct calculation. Would they not pause before they ran the risk of doing this? If the profits of the masters disappeared, what became of the men? The master would not go on working without a profit, and so the men would be disbanded, the mill would be stopped, and, seeing the mischief caused, they would be compelled to retrace the step they were now about to take, as soon as ever they recovered from the humanity fever under which, for some years past, we had been severely suffering. "Oh, but," said his noble Friend, "there is no difficulty at all. The mills are already only working six hours a day." Was it possible that his noble Friend, coming from a part of the country where the people were famed for their sagacity, should not discover the inference which was to be drawn from such an argument so made use of? In other words it amounted to this. The people were half ruined—they were struggling for existence — the manufacturers were turning off 50,000 men in Manchester, and 25,000 men in Nottingham, in consequence of being utterly unable to give them employment. The distress and misery thus produced were excessive. And in such a state of things what was the remedy proposed? His noble Friend proposed what the sailors called to belay it—to keep it as it was, to prevent them from recovering, and to leave the people permanently in the desperate condition into which they had been plunged. His noble Friend's argument was just this: we are in a state of temporary distress; we cannot work full time, and when the distress of the moment passes away, we shall be as badly off under the pressure of the law as we are now under the pressure of the famine. His noble Friend had alluded to the question of competition, and had plumed himself on using a new definition of that state of trade, in calling it "barter." It was barter between us and our customer; but then there was another party tempting the same customer, and this was the foreign competitor, whose operations we were bound to consider before we interfered with our existing means of carrying on the competition. His noble Friend who first addressed their Lordships had passed over this argument by expressing a sanguine hope that the foreign competitor would soon follow our example. He (Lord Brougham) very much doubted if their Lordships would live to witness this result. He, too, entertained a sanguine hope that sound principles would make progress among other nations with all the more speed if we first led the way and gave to such principles a practical development; but he questioned if our neighbours the French, whom he highly respected; the Belgians, the Dutch, or even the Americans—whom, once also, he had highly respected, and whom he should again respect, if his good opinion offered any inducement to that people, when they ceased to guide their actions by the detestable doctrine, that all America belonged to the United States, and that, therefore, the

United States were privileged to make war and carry rapine into the territories of other nations, and when they also discontinued making use of that singular invention of modern times, repudiation—but he doubted very much if these competitors would make any great haste to follow the example we were about to set them. Were the principle sound, they might pursue the same path; but, in the first place, they would see that the principle upon which we had based our legislation was altogether unsound. Let him remind their Lordships of the effect of the abolition of the slave trade. How many years passed before we were imitated? Even to this day the Governments of some European countries had not even stepped in the direction in which we had proceeded. It was said there might be a little national feeling on that question; he did not deny it; but would there be no national feeling here? What temptation were we not holding out to French commerce, and what reason were we not giving the French manufacturers for continuing to work twelve hours, and, it might be, for increasing the ordinary time to fourteen hours? We beat them now in every market, though we had dearer labour and dearer living. How? By the amount of our capital, by the perfection of our skill, and by the exquisite machinery we employed to drive our trade by that skill, and to make that capital produce its gains. But if we now reduced the labouring power of the country—if we sacrificed one-sixth part of the great staple branches of manufacture—if we threw out of employment so large a number of men, did not their Lordships think these foreign competitors would be strongly tempted to say, "Oh! now we see the means of beating the English; we begin to see how we can rival them; we will keep our law as it is, and their law will enable us to undersell them in every market in the world?" That, indeed, was a likely and a probable result; and there was little reason to think our example, our fatal example, would ever be followed. Their Lordships ought to remember that the workman would suffer if the means of the manufacturer were reduced. Some years ago Parliament passed a law permitting the workmen to combine for the prosecution of their common interest; but let this enactment now before the House operate, and the employed would be at the mercy of the employer, and would no longer be in a position to co-operate with his fellow-labourers—the competition now was for work not for workmen. The manufacturer must of necessity maintain his present rate of profits, for they were already reduced to the lowest possible amount, in consequence of the competition with which he had to contend—or give up business altogether. Capital, in the long run, would overpower the labourer; the person who had the capital would defeat the labourer, and would throw the whole loss of one-sixth upon the wages of the men whom he employed. That he must do for the reasons which he (Lord Brougham) had given; if he did not in some way replace the loss of two hours he was enforced to endure, he would be a ruined man. If any one was romantic enough to suppose that the millowner who last year cleared 5,000*l.* would this year content himself with 2,500*l.*, merely for the abstract benefit of the labourer—if any one was so romantic as to entertain such a notion, he was sure it was not his noble Friend who came from Yorkshire, at all events, or any noble Lord who was acquainted with Lancashire, or the other manufacturing districts. But at the same time the depriving these poor people of 2*s.* a week of their labour, would, as he said before, cut them to the quick. Those who were already reduced to the most scanty subsistence could not afford to lose one-sixth of their means of support; and even granting that they would never want employment—and on that they had no right to calculate—still they left them in a condition of permanent poverty. The next consideration was, what effect would this have upon the moral condition of these poor people? He believed there was not a more sound principle, he did not say of political economy but of social philosophy, than this, that poverty was the root of many evils—that distress, that uncertainty of possessing the common necessaries of life—that the fear of want continually haunting the mind—was just as injurious to the mental organization as it was to the physical health of a man. To deprive a man having 6,000*l.* a year of 1,000*l.* would be doing him little harm; it would not at all interfere with his comforts, and little with his luxuries; but to take away from the labourer the sum which such an enactment as this would take away, would be to cut into, not his comforts, but the necessaries of his existence. There was nothing more certain than that whatever tended to relieve the mind from great anxiety, and operated to keep a person in tolerably comfortable

circumstances, was the parent of right feelings and the parent of sound principles. And if we now, all of a sudden, exposed our labouring population to the chance of poverty, and all the cares and anxieties by which poverty was accompanied, we must be prepared for the consequences which this would have upon the moral condition of the people. Let noble Lords, again, take another view of the subject. This Bill dealt with factories; 57 per cent of the labour of the country was factory labour; the remaining 43 per cent was not composed of factory workmen, and these workmen the Bill professed not to touch. But, in point of fact, this measure, professing to leave them alone, would interfere with them, and would touch them most vitally. It would drive those workmen, those with whom the Bill did directly deal, and who would be prevented by the Bill from working twelve hours a day, from their occupation. If they restricted the opportunities of the factory workman, and prevented him making the utmost possible profit of his industry, energy, and skill, then, naturally, he would go out of the factory and become one of those labourers with whom legislation did not meddle, and who, did it so please them, could work sixteen hours in the day. Precisely, therefore, in the self-same proportion in which the measure lowered the wages of those employed in the manufactures, would the factory operatives be driven into those branches of trade upon the operations of which no visible restriction was to be placed. This was a legislative premium given to those branches of trade at the expense of the manufacturer. It would benefit the masters by increasing the number of hands; but of course it would lower the wages in those trades not touched by the Bill. There was, however, one argument urged by his noble Friend which seemed most plausible. His noble Friend said, that the loss of the two hours would be amply compensated in the increased production to be speedily ensured by the introduction of more perfect machinery. God forbid that anything should be done to cramp mechanical genius, or to limit inventive power; but still he could not help feeling that every increase of the powers of machinery displaced so much labour. Would they, then, take legislative means to increase the power of machinery, and to displace labour to the extent of which he had spoken? And this would be the consequence, undoubtedly, of the measure. What was the manufacturer to do? He could only labour ten hours to produce the article for which twelve hours had before been required; and nothing was left him but to make machinery do the work upon which otherwise human hands would have been engaged within the time permitted by the law. This was a view of the case which it was of the utmost importance should be carefully examined. He had never put the matter to a workman, or to a deputation from workmen, in this light without staggering them, and without inducing them to pause; it was a view which had been carefully kept out of sight, and which had never been referred to by those who had carried on an agitation in favour of the Bill. The men were struck with the argument; and, on consideration, they always admitted that they were better where they were. And the cause which would call for improved machinery would also have its effect upon the labourer; he would have to work all the harder for having to work shorter time; and thus, whatever physical benefit he might have derived under other circumstances would be counterbalanced and rendered nugatory. He now came to a point which had been made prominent in the discussion of this question. No person undervalued less than he did the importance and the good of education; he had, ere now, made many efforts to promote the education of the people; and he would be the last man in this world to oppose himself to any measure calculated to advance that cause. But if this Bill was framed to afford the opportunity of moral instruction and education to adults, it did not go far enough; and this the consistent advocates of short-time legislation had acknowledged when they demanded a restriction to eight hours. Some of Her Majesty's Ministers, regardless of this objection, had offered to split the difference between ten and twelve hours, and to make it an Eleven Hours Bill. Others, with still more refinement, made known that they would agree to a Bill for eleven and a half hours; and one or two persons had spoken of eleven and a quarter hours, and had recommended this idea in a way perhaps that did not greatly enhance the general respect for their abilities or their wisdom. If, however, moral instruction was their purpose, and they decided upon violating every rule, and infringing on every right of the labourer, then, in God's name, let them go about it in such a way as to attain their object.

Did any one think that by taking two hours from the twelve, they enabled the labourer to improve his moral condition? On the contrary, they would allow him to work twelve hours in the day, provided only that he worked no more than fifty-nine hours in the week, and remained idle on one day. What would be the consequence? The workpeople would not have time to read during the week; but then it was said there was the Saturday. Oh! profound ignorance of the factory man, of the factory nature and disposition! It was supposed that when you allowed them to work for twelve hours a day for five days of the week, and gave them a whole holiday on Saturday, they would say, not "We have lost a day," with the Roman Emperor, but "We have lost five days—let us make up for it, let us eschew the beer-shop; let us look on the public-house as if it were not; let us go to our homes; let us seek the pastor to commune with him; let us send for the moral preacher and speak with him; let us send right and left to societies and mechanics' institutes, and the apprentices' libraries for books; let us take advantage of the various institutions for the diffusion of useful knowledge—we have only this one day, to-morrow is Sunday, we cannot do it then; let us devote this day to our moral improvement." But then, unhappily, these people would be mulcted of their wages all the while; and with some that fact was a reason for thinking they would refrain from going to the public-house. But every one knew that the pressure of want and necessity induced men to indulge in intoxicating drinks; and it had been proved that classes of men suffering great necessity and privation indulged in opium eating. In Nottingham, Yorkshire, and Lancashire, this practice was so common, that persons were in the habit of going about selling a preparation of opium. ["No, no!"] Depriving the workmen of 2*s.* of their wages would not prevent them from indulging in intoxication and intemperance. He therefore could not help feeling that there would have been more sense in an Eight Hours Bill, than one for ten hours; the former could not have been a greater offence against all principle and expediency, and there would have been some little chance of its doing some little good; for, supposing the men worked the ten hours every day, and did not take the Saturday as a day of leisure, every one knew a man after ten hours' toil was too much fatigued to think of anything but rest and relaxation; and, above all, he was most in want of "tired nature's sweet restorer, balmy sleep." He had been trying to educate the peasantry for these forty years; and his constant competitor and antagonist, by which he had always been defeated, was—sleep! The labourer always thought that sleep was the best relief both for body and mind after a day's labour. Mr. R. Oastler, who with some peculiarities was one of the best and kindest men living, and whose perseverance in this question was worthy of a better cause, did not approve of an Eight Hour Bill; it was too much, too hazardous, it would take off one-third of the wages of the people and of the capital of the manufacturer at one blow; but striking off one-sixth of the wages was only one-half less hazardous! Now, he believed there was very great delusion at the bottom of this question; he believed the workpeople did not see it. Unhappily, he knew pains had been taken to mislead them. They had been blinded by very positive statements and assertions that there could be no diminution of wages, or a very partial one. Did the agitator go to them saying—"I warn you that, in agreeing to this, you do it with the peril that wages will be diminished one sixth?" and did the generous workman, the noble spinner, or the romantic weaver say, "Be it so; we are anxious for our moral improvement, and have no objection to lose that one sixth of our earnings?" No; they did not say that: that the agitator kept in the dark; they might not possibly object to lose 1½*d.* or 2*d.* of their wages, but they did not say they were ready to have 2*s.* taken from them. If they were so anxious for moral improvement as to be content to lose that amount, they were very different from the 800 men who, in one case he had mentioned already, were tremblingly alive and nervously anxious as to the loss of 1*d.* or 2*d.* If the loss were fairly explained to them, if they were fairly told it would be no less than one-sixth of their earnings, he had no doubt they would retract their opinion. He knew the preter-pluperfect of the subjunctive mood was a difficult and perilous tense to speak in; it was most difficult to say what might, could, would, or should have happened, if certain circumstances had happened that never happened. But he ventured to use this perilous tense now because he spoke with the knowledge of a fact. There existed in the West Riding of Yorkshire no more respectable man than Mr. Ackroyd; he was a great manufacturer,

a wealthy capitalist, and a more humane master, or one more attentive to the wants of his numerous workmen, he had never known or heard of. He had four mills, employing numerous people; he heard of the anxiety among some of the men for short time, and agreed if the men resolved on it, to begin working short time on a fixed day; the largest mill was against short time, so was the second; the other two were in favour of it. It was tried, but not at the same wages; and the moment the men discovered that, short time was given up by all the men. He therefore ventured to speak in this dangerous and difficult tense, or rather in a safer and easier one; for on experience of the past he assumed what would happen if the plan should be adopted. He had some other facts of the same sort with which he would not trouble the House. He thought, therefore, the authority of the workmen themselves was slender on the present occasion; leaving the results of this experiment out of the question, setting aside the difference of opinion, and taking it entirely on its own merits, if all the workmen with one voice were for it, he was bound as a lawgiver, he was bound as a statesman, to consider, not what they wished, not what they said they would have, not what the agitators had got them to say they would have, but what was good for them, what was for their benefit and the benefit of the community; and what they themselves would finally and deliberately wish and approve. But then he was told there was another authority on the question; it was said the House of Commons had sent up this Bill supported by a very large majority. Yet it was the very same House of Commons—for there had been no general election—that formerly rejected the measure by a large majority. On the 2nd of March, 1844, there was a majority of three, the numbers being 186 to 183, against the Twelve Hours Clause. It would naturally be supposed there would have been the same majority against the Ten Hours Clause; he was sorry to say this was not the case; on the next division there were 181 in favour of a Ten Hours Clause, and 188 against it. Thus the House of Commons would neither have a Twelve Hours nor a Ten Hours Bill. The eleven hours party had not then come into existence. What in the name of fortune would they have? On the 13th of May in the same year, the Bill was brought forward again as precisely the same measure; be it recollected some understanding appeared to have been come to in the interval between the twelve hour and the ten hour parties, and the numbers upon the division were then 297 to 159, rejecting the Bill entirely by a clear working majority of 138. Three short years only had then elapsed since the same House of Commons from which the Bill had now come, had rejected it by the enormous majority of 138. Then came the year 1846, in the month of May of which year a change seemed to have come over the spirit of their dream, for the Bill was again rejected; but by a majority of only 10. The clear working majority of 138 had dwindled down to what, for distinction sake, they might call the Whig majority of 10. When he saw a phenomenon, he liked to trace it to its cause. What was the cause of this sudden change? The same cruelty, the same hardships, the same want of instruction existed in 1844 as in 1846; but it did happen that in the interval the corn laws had been repealed. It happened in the course of the severe contest which preceded that repeal that the landed men were ranged against the cotton and wool men; the repeal was supported chiefly by the cotton men, and the spinners and millowners were constantly abused by the landed aristocracy. The manufacturers having beaten the land on the corn question, the land said, "We will retaliate a little on mills;" and it did so happen that, in connexion with this quarrel between the land and the mills, the majority came down from 138 to 10. This year there had been a continuation of the same events, of the same conversions; the movement downward had been accelerated, and the Bill came up to their Lordships now backed by a large majority in its favour, though two years only had elapsed since an equally large majority was against it, and all the circumstances of the case remained precisely the same. He begged pardon of their Lordships for saying the circumstances were the same; circumstances were infinitely stronger against the Bill now than ever they were before. What time had these men taken to change the opinion they had when the Bill would have done comparatively little mischief, and convert the numerous votes they gave against it to an immense majority in its favour? When men were being thrown out of employment by thousands and scores of thousands—when Providence had afflicted them with a

scarcity in England, and an actual famine in Ireland—when in every point of the compass to which they could turn their eyes, abroad and at home, there were thick storms gathering, and the heavens lowering about them all around—this was the time the House of Commons had chosen to retrace its steps and alter its votes, from a majority of nearly 150 against the measure to one of more than 100 for it. This was the crisis, of all conceivable periods in the history of the country, when a prudent, conscientious regard for the safety of the people and the best interests of the country—above all for the best interests of the working people—made it an imperative duty that they should show the utmost reluctance to change their commercial policy. While they were menaced with dangers like these, when the poor rates of 6,000,000*l.* a year were likely to increase to one-half more—when Ireland was suffering and bleeding from every pore—when they were obliged to send over supplies of food and money to prevent the death of hunger from thinning the land—when the public peace was disturbed—when in one county, within the last three days, two hundred special constables had been sworn in, and the yeomanry called out, to quell food riots—this, it seemed, was the time we were called on, without experience, upon speculation, on assertion, on assumption, upon fantasy, to pass a measure which must affect every working man in the country in the four great branches of its manufacture. The promoters of the measure now before their Lordships desired to see it enacted at the moment when, of all others, such a change seemed to his mind the least desirable. Most men must admit that if such an alteration were at all to be effected, it ought not to be brought about when the people of this land were in the utmost extremity of distress. Then, in God's name, why not wait for the blessings of peace and tranquillity? Do not fly in the face of Providence by such an experiment as that which it was proposed to try through the present measure. If they had no consideration for its direct effect upon the manufactures of the country, let them at least consider for a moment its probable operation upon the landed interest. Let it not for a moment be supposed that the present was not as much the case of the landlords as it was the case of the manufacturers. Nothing could injure the one without deeply affecting the other. That great merchant and banker, Mr. Child, well said that land and trade were so knit together that together they must wax and wane; nor could any ill happen to trade but land must suffer, nor any ill to land without trade feeling it. With respect to the speeches which their Lordships had already heard upon the Bill then before them, he was bound in justice to both the noble Lords to render them his unfeigned thanks for the tone in which they had addressed the House. He was bound in justice to them to say that he never had heard speeches uttered in a manner more cautious and measured; he never in his life witnessed a more admirable shunning of every invidious topic; there had not been one unfair or unjust allusion to the manufacturing classes; on the contrary, every portion of the subject had been discussed with kindness and courtesy, and therefore the remarks which he made were not for them or any of their Lordships, but for less wise men. He would ask the supporters of the Bill then before the House, did they, or did any man in the country, doubt that its effect must be to throw a large proportion of the people who worked in factories upon the poor's rates? And who paid the poor's rates? Did not that burden in a great degree fall upon the land? That the poor's rates must be augmented by the proposed change, and that the landed interest must therefore heavily suffer, appeared to him propositions almost self-evident. He would say to the authors and supporters of this measure, don't be led away by any notions of benevolence: benevolence to be practically useful must work good — benevolence to be a fit principle of action for statesmen and legislators must be combined with beneficence; and before they hazarded an experiment so bold, so extensive, so unlike anything that they had previously tried, they ought to consider most carefully how far they were likely to injure the classes whose advantage they so earnestly sought to promote. Moreover, if they interfered with one class of labourers, they ought to interpose in favour of all, those who worked out as well as those who worked within doors; and there were none whose case was more deserving of commiseration than the agricultural labourer. He doubted not that their feelings of benevolence had been most strongly excited by the exaggerated accounts which had reached them respecting the unheard-of, the deplorable privations which those classes were supposed to endure. From every quarter they were

told of the hard toil which they underwent —of their comfortless abodes —of their brief rest and continued hunger—that the system by which they were governed rendered it impossible for them to be otherwise than hardworked, hard fed, and poorly lodged—that they were, therefore, naturally prone to grasp at the least chance of improvement. Hence the Legislature was called upon not to form its judgments upon any principles of sound reasoning, but to listen to the feelings which such statements were calculated to arouse. The House, therefore, grasped at what was offered, without carefully weighing what was its probable result. No man could be more alive than he to the sufferings which the factory labourer endured. He felt as deeply as the most clamorous advocates of the measure how important it was that their interests should be well and carefully considered—he felt the deepest commiseration with the working classes. He knew the hunger they suffered—the toil they underwent; he knew the abodes in which they lived; and all their miseries met his sympathy and wrung his heart. But his sympathies were not confined to those who worked within doors; they reached, without distinction, the men who worked abroad in the fields, as well as those who toiled in factories. The fatigue and misery that might be seen in the peasant's cottage, quite equalled, if it did not surpass, the wretchedness they were told the factory labourer alone endured. The peasant rose to his hard toil at five o'clock in the morning; he snatched a hasty morsel, which deserved not to be called a meal; and during one brief half-hour he escaped from the scorching sun or the pitiless rain to eat what no other man would consider a dinner. Animal food he rarely tasted; and at the latest hour he returned to his squalid home, drenched either with rain, or with perspiration. He was bound to earn his scanty morsel, not only with the sweat of his brow, but by the most intense exertion of his whole muscular power—without the support of sufficient food—without the comfort of even a change of raiment; and, excepting in the northern counties, he was obliged to struggle through half the year, ever wet and ever chilled because without the comfort of fuel. Hence his wretched clothes, and his still more wretched bed, were scarce ever dry. The peasantry of England never knew half the comforts that were to be found in the factory. Hence the peasant, who began his course as an agricultural labourer at the age of fifteen or sixteen, grew old before his time. Yes, he took it upon himself to say, that such men scarcely ever reached the natural term of human existence. But if it became so necessary to legislate thus stringently, and against all principle, for the men who toiled in cotton factories, why did the Bill stop there? Why was not provision made for those whose lives were shortened by working amongst filings of steel, and those workers in brass who since the time of Tubal-cain had been victims to their occupation? Sir Samuel Romilly, than whom a more humane man never existed, could never be brought to support even the moderate measure introduced by the late Sir R. Peel in the year 1809; and why? That most excellent and benevolent man was accustomed to say, "Beware how you endeavour to find a substitute for parental feeling, lest parental feeling should resent the interference, and, becoming less pure, should seek to render nugatory that which was attempted to be put in place of those affections, without which it would be difficult to preserve the frame of society." And this was said even against the moderate interference of protecting very young children from the avarice of their parents. What would the same benevolent and wise man have said of a Bill to confine all labour of all ages and both sexes compulsorily within given limits? He could not conclude without apologizing to their Lordships for having occupied so much of their attention; and, though it would be easy for him to address to the House many more arguments against the measure then before them, he hoped he had laid sufficient grounds to induce them favourably to receive that which he intended to move as an Amendment, namely, that the Bill then before them be read a second time that day six months.

The BISHOP of LONDON said, that no one could be more sensible than he was of the great disadvantage under which he addressed the House when he rose to speak immediately after the noble and learned Lord who had just sat down. He was the more especially affected by that consideration, when he remembered how deeply the noble Lord had studied the question which the present Bill brought under discussion —how often he had considered its bearings, and how strongly he had permitted his feelings to be excited by circumstances connected with that subject. Reflections of that kind, therefore, led him (the Bishop

of London) to be most unwilling to address their Lordships at a moment like the present; but he could not shrink from the imperative duty imposed on him then to stand up in his place, and declare his cordial assent to the Bill before the House. He conceived that the working classes would have great reason to be thankful for the measure which the House was now about to pass. Their Lordships had heard many arguments in favour of the measure, but he could not help reminding them that it was one which enlisted in its favour the holiest sympathies of our nature; while the arguments against the Bill were for the most part theoretical, and drawn from principles which required to be modified by various practical considerations. For surely the measure now before their Lordships was not one to be judged by the purely abstract principles of philosophy or science, however true they might be in themselves; it should be looked at in connexion with the numberless anomalies resulting from the highly artificial state of society in which we live, and it should be judged of by the preponderance of good or evil that was likely to result from it. If all men were instructed in, and prepared to obey, the theoretical rules of political science, then those abstract theories might be carried out; but whilst they saw around them such a state of things as at present existed—whilst they were dealing with misery, with ignorance, with wretchedness, and vice—they, as legislators, should be influenced by charitable considerations towards those who had not as yet been emancipated from that species of slavery—they should bend and modify that rigid rule of theory to meet the exigencies of the case. It might be perfectly true as a general proposition that the competition for labour ought not to fettered with any restrictions whatever; but he would repeat, that the assistance which abstract principles gave to practical legislation was a species of aid which had its limits. The noble and learned Lord said that Parliament ought not to legislate upon subjects which did not come properly within their scope; and he called upon the House to refrain from such a course of legislation as would interfere with the freedom of the labour market, which in a nation of great commercial enterprise ought not to be interfered with. But he would take the liberty of telling the noble and learned Lord that Government best answered the purposes of its institution when it came nearest to paternal rule; and when parents neglected parental duty, the Government was bound to assume those functions which the natural guardians of youth abandoned or perverted. And, therefore, he thought that one of the most important duties of the Legislature was to interfere so as to prevent excessive injury from accruing to a large proportion of the population, which was least able to protect inself; and that where one portion of the subjects were ignorant and powerless, the law might interfere to prevent injury from being inflicted upon a large class of those who might be otherwise left unprotected. He could not help remarking that throughout the whole of the speech which the House had just heard, the question had been dealt with as one which solely concerned the adult population. But he thought that a great part of the question concerned that very numerous and unprotected class—the children who were employed in factories; and it was with reference to them particularly that he wished to ask for their Lordships' attention to the observations he had to offer. The factory workmen, acting under the constraint of that necessity which was produced by the peculiar state of the labour market in the manufacturing districts, seemed to regard their children as mere instruments for making money; and here again he thought the parental functions of the State came into play, and ought to interpose to relieve those children from that necessity. If the cupidity of their employers or the ignorance of their parents compelled them to extend their labour far beyond those limits of exertion which their bodily constitution was suited for, and, therefore, he might say beyond that point which their benevolent Creator designed for them, he thought it became the sacred duty of the Legislature to interfere and afford them that protection which their natural guardians were unable or unwilling to give them. If they desired that the evil should not be perpetuated or aggravated, and that some chance should be given to the rising generation of growing up in habits of religion and morality, their Lordships must interpose to save them from their ceaseless round of exhausting toil, and leave them more time for improvement, Their intellectual faculties were contracted by the monotonous and wearisome labour to which they were subjected; and that formed no unimportant consideration in the question then before their Lordships. The agricul-

tural labourer, notwithstanding the eloquent description of his noble and learned Friend of the effect which the toil of that labourer produced on his health and spirits, was in a much more favourable condition for carrying out the great object of his being than the factory workman. His work was carried on in the open field, where he was inhaling pure air and saw the pure light of heaven; and at any moment he might suspend his toil, for a brief interval, to prevent the exhaustion of his strength and spirits. It was not so with the factory workman. The mill must move on with unceasing motion for the appointed number of hours, to complete the proper quantity of work; and it admitted of no intermission in the labour of those children who were deputed to carry on and watch its ceaseless process. Now that imprisonment, as it were, of a large class of our fellow-creatures was a case in which the Legislature ought to interfere, unless the evils which were wrought by it could be shown to be less than those which would be produced by their interference. The evils, however, of the present system were so great, that they could hardly be contemplated by any humane man without shuddering. The debility of frame, the shattered strength, the exhausted spirit, the early death, were various and lamentable evils; but they were not the worst. Before, however, he proceeded to the consideration of the latter point, he would advert to the mortality of the manufacturing districts. It was proved that the exhaustless process of factory labour did tend to shorten life in the manufacturing districts. It might be argued, that the diminished average of human life in those districts was to be ascribed to the unhealthy condition of large towns; but that was completely refuted by certain facts which had been ascertained. It appeared from a statement which had been made by a most able and benevolent individual, Mr. Fletcher, a medical man, who had made a close investigation of this subject, that the average duration of life of the factory operative was somewhat less than one-half that of other operatives in the same districts. He would now advert to what he considered as the worst consequences of the present system, namely, that it entirely disqualified the children from receiving the benefits of education after a certain age, when perhaps it was not going too far to say education was more important to them than before. He would admit, that, up to the age of 13 years, those children were comparatively well provided for, as the hours of labour up to that age were limited to six hours; but the moment they attained that age their work was doubled, and they very soon lost all they had learned before, because, after twelve hours of exhausting labour, they had no spirit or strength left to attend school or to profit by it. Their Lordships must also consider that in addition to those twelve hours for which they were obliged to work in the factory, two more were reckoned in going to and from the mills, and in the necessary cleansing and refreshment; so that, even if this Bill passed, and the hours of labour were restricted to ten hours, there would be still twelve hours of the day no portion of which could be devoted to school for the purpose of deriving sound and wholesome instruction. Under these circumstances, it was no wonder that the clergy and medical men of the manufacturing districts were all but unanimous in favour of this Bill, which they believed would at least diminish, if not altogether cure, the evils that existed. But the Bill was also supported by a large portion of those whose interests would be most deeply affected by it, not merely by factory workmen, but by many of the great millowners, who, according to the opinions of the opponents of the measure, would be great losers by it. It was said that they would lose one-sixth of the factory labour of the country, and to that extent our manufactures would be destroyed. But, on the other side, he placed the great gain the measure would produce to morality and humanity. He confessed himself quite incompetent to judge of the ultimate bearing of the measure on the commerce of the country; but he was very much encouraged when he looked back and saw what had resulted from the steps they had already taken in the same path of humane legislation. They were told when the Twelve Hours Bill was introduced, that the same evils would result from it as were now predicted of this measure; but what had been the result of that Bill? He was going to say that it was in a precisely opposite direction to what had been predicted. It appeared from a statement made by a very intelligent person who was one of the most strenuous opponents of that Bill, that the following effect had been produced on the wages of the factory labourer by the successive steps taken by the Legislature. In 1813 the wages of women in factories were 8*s.* 4*d.* a week,

in 1833 they were 8*s.* 10*d.*, and in the mean time the price of food had become much lower; so that the change was all in favour of the workpeople. His noble and learned Friend had said that in ten hours it would be impossible to produce as great a quantity of cotton manufactures as in twelve hours. He admitted that with the same means only it would be so; but his noble and learned Friend had himself taken off much of the effect of his own argument by speaking of the improvement that might be made in machinery, whereby labour might be diminished. And again, his noble and learned Friend spoke of its being a certain effect of this Bill that it would drive from the mills a very considerable number of those who were now employed, but who would no longer stay there when they found that better wages might be obtained in other parts of the country; but if that were so, and any considerable emigration from the manufacturing districts or mills did take place, the consequence would be that there would remain a smaller number of workmen, and wages would rise in proportion. He must be permitted to think, when his noble and learned Friend spoke of the delusions that had been practised upon the factory workpeople in this matter, especially from the experience he had had whilst he was connected with that part of the country which was the chief seat of the cotton manufacture, that those workpeople were a very intelligent and sagacious body of men, alive to their own interests, and not so easily deceived as his noble and learned Friend supposed; and when he found so large a number of those persons pressing their Lordships, with great earnestness, by petitions, to pass this Bill, and saying that they believed it would confer upon them the greatest possible boon, even if it should be wrong, he could not think it would be injurious to them to the extent which his noble and learned Friend supposed; whilst they would have, at least, the satisfaction of having done the best in their judgment, by listening to the importunate prayers preferred to them. He could not suppose that if the mill-owners had had any suspicion that this measure would be so productive of ruin to themselves as his noble and learned Friend represented, any of them would have advocated it; nor would he believe that if they had entertained any reasonable suspicion that it would not only injure themselves, but also that class who had been instrumental in producing their wealth, they would have supported it. On the contrary, he thought that they had the best interests of their workpeople at heart. He was ready to admit that all legislative interference was an evil, and could only be justified so far as it prevented an evil of a greater kind; but the evils which were now sought to be remedied were of the most serious kind; they were nothing less than the physical deterioration and moral degradation of a large portion of the most helpless classes of the community. Unless there were some improvement in the moral condition of those classes, the country would be thrown into a situation of the greatest danger; but that necessary moral and religious reformation never could be wrought unless they allowed the younger portion of those classes to bestow a larger part of their time on self-improvement and learning that which would be useful to them in their future life. With respect to the concluding argument of his noble and learned Friend for inducing their Lordships to pause before they passed this Bill, that the present was an unfavourable moment for making this experiment, he (the Bishop of London) considered that no time could be more favourable. If the factory workpeople were not fully employed, and mills were doing no more than ten hours' work a-day, what evil could arise—what chance was there of exciting any angry feeling if they restricted them by law to that period of labour which, practically, they were limited to at the present time? On the other hand, he saw great danger in turning a deaf ear to the petitions of so large a portion of their fellow-creatures, of that class too who were unhappily too often not restrained by motives which were the result of general religious instruction and moral education from giving vent to their feelings, and endeavouring to accomplish their ends by the most unlawful and dangerous means. He could conceive nothing more calculated to disquiet the mind of the manufacturing population, and make them unwilling to bear with patience and submission those privations which they were suffering at that moment, and which he feared they must be prepared to suffer to a greater extent still, than the absence of a ready acquiescence on the part of their Lordships to those earnest petitions which had been so long sent up to their Lordships' House, praying for a more enlarged relaxation of the incessant and wearisome toil of the factory labourers, which was injurious and

hurtful, not only to them, but to their children, who were to form the future manufacturing population of this country. For these reasons, he should give his most cordial assent to this Bill.

The DUKE of RICHMOND said, that, though his noble and learned Friend had stated that the operatives were not in favour of this Bill, no less than 295,000 had petitioned for it; and he believed there were not a dozen who had petitioned against it. The noble and learned Lord declared also that an agricultural labourer of 45 was not so strong as one of their Lordships at 70; but he could produce labourers in Sussex, of the age of 45, who would carry every one of their Lordships out of that House; and when it was said that they laboured from six o'clock in the morning till eight at night during harvest, he must ask why they did so? Because it was task-work; and, so far from going home to meals, the agricultural labourer sat on the sunny side of the hedge, and ate his meat and drank good beer; and would drink more of it if the malt tax were repealed. Then the noble and learned Lord said, that the agricultural labourer had no change of clothes. Why, where had the noble Lord been living? Had he ever been within an agricultural labourer's cottage? He very much doubted it. He wished that they were better off; but if they were badly off, was that any reason why they should allow hundreds of thousands of other labourers to be destroyed? The right rev. Prelate had so ably stated the reasons for this Bill, that he would not enter into any details; but he trusted their Lordships would not turn a deaf ear to the prayers of so large a portion of the operatives. No one in the country disliked the Anti-Corn-Law League more than he did; but he knew the value of agriculture, commerce, and manufactures going together; one great cause of his opposing free trade was, that it would limit manufactures, and get rid of the home market; and, while he disliked the League, he had a great respect and regard for the intelligent manufacturers and operatives of this country.

The EARL of CLARENDON wished shortly to state the reasons which would induce him to support the Amendment of his noble and learned Friend. He should have been glad if he could have concurred in the opinions which were expressed with so much eloquence by the noble Earl, and by his noble Friend who moved the second reading of the Bill—if he could have supported the Bill on the ground on which his noble Friend supported it, and have concurred in his opinions, and given him his support, that it was for the benefit of the labouring classes. But, on fully considering the subject, and looking to the best interests of these classes, he found himself called upon to support the Amendment of his noble and learned Friend; for he believed that this measure was much more calculated to be hurtful to those for whose benefit it was intended, than to be of any advantage to them; and he was satisfied that if it passed, it would inflict great evils on the operatives engaged in the manufactories, by taking from them one-sixth of their labour: for the operation of this Bill would extend much farther than his noble Friend intended. It would extend not only to young children, who were entitled to protection, but to full-grown men and women, who were as well able as any of their Lordships to judge what was for their own interest; and if they chose to work for any number of hours they pleased, he did not see what business the Legislature had to interfere. He was as anxious as the right rev. Prelate to promote the social interests and religious improvement of the class of people to which he referred; but he did not believe that this object would be obtained by depriving the working man of one-sixth of the means (and they were not superabundant at any season) of supporting his family. This would be inevitable if the distribution of the produce of labour was to bear the same proportion which it did at present. It was perfectly clear that in the present times of competition the profits of the manufacturer were not so great that they would bear reduction. If they limited the number of hours during which the machinery might work, they must, as a consequence, limit the quantity of produce. This appeared to him to be inevitable. In going into the subject, he would, in the first instance, call the attention of the House to what was the existing law and practice in the manufacturing districts, and what was the state of things in former years. The reasons which were urged in former years for legislative interference with the factories no longer existed. All those abuses to which so many allusions had been made, had been got rid of. They no longer heard of the cruelty of the masters, and of their compelling children to work sixteen hours a day. Many improvements had

been made through the instrumentality of the present law. The existing law provided that children under 13 years of age should work only six hours a day, and that they should attend school for at least two hours a day. Young persons and women were not allowed to work for more than sixty-nine hours a week. There was also a very important provision, that no time should be made up for time lost by accidents to the machinery. At present, the sixty-nine hours were thus distributed, namely, twelve hours for five days in the week, and nine hours on Saturday. The stoppages to the machinery in consequence of accidents reduced the actual work to about eleven hours. Again, the workpeople were employed in comfortable places, and not in such filthy places as had been described by the right rev. Prelate. The workrooms were airy and well-ventilated buildings, and were much more healthy than those devoted to other descriptions of employment. He believed this to be a fair and unexaggerated state of the case. By the Bill, however, it was proposed to reduce the hours of labour from sixty-nine to fifty-nine, while holidays and other deductions, such as the stoppage of the machinery through accidents, were to remain as they were. The consequence of this would be the reduction of the period of labour for five days in the week from twelve hours to ten, and nine hours on Saturday. The effect of this state of things would be to strike off one-sixth of the fertile produce of the country, for the produce would be in exact proportion to the period of the working of the machinery. Of course this diminished proportion of produce would strike off one-sixth of the wages of the operatives. His noble Friend who had moved the second reading of the Bill, did not argue that this would be the case. It should be remembered that wages formed but a small component part of the cost of an article produced; that there was the charge for the raw material; then came the capital of the manufacturer sunk in the mill machinery; and lastly came the wages of the labourers. The diminished production which would ensue from the reduction of the hours of labour from twelve hours to ten, would undoubtedly increase the price of the manufactured article. As had been justly observed by his noble and learned Friend, the same number of mills would not produce the same quantity of manufactured goods as were now produced. Fresh mills must, therefore, be built; those who were wise men would build them abroad, and short-sighted men would build them at home. We should have one-sixth of our manufacturing population more than we had at present dependent for employment and wages upon the production of a diminished quantity of manufactures; and he, for one, could not look without alarm at such a state of things. He had no doubt that there was an honest belief that the increase of price in the manufactured article would permanently compensate the manufacturer for the diminished amount of production; but he believed this to be an erroneous view of the case. If, however, it were true that this increase of price would be permanent, would it not be tantamount to imposing on every labourer in the country a higher price for his clothing, solely for the benefit of those who worked less and were paid more than others in a similar rank of life? Such, then, being the direct consequences of this measure, he would ask their Lordships to look also to the indirect consequences which would flow from it. In the first place, there would be less coal, oil, tallow, leather, and flour, all of which were used to a great extent in manufactures, consumed than there used to be. There would also be less flax, silk, woollen, indigo, madder, and other dyes used; and there would be less shipping employed. All the trading interests in the country would suffer in proportion from this apparently humane measure for limiting the hours of labour. Then, again, their Lordships must remember that hand-loom industry competed in certain districts with the power-loom even now, when the power-loom was working sixty-nine hours per week; and when the power-loom came to work fifty-nine hours only per week, the hand-loom weavers would beat the power-loom, and the manufacturers must come to Parliament and ask that the hours of labour of the hand-loom weavers should be restricted also. Such were some of the indirect effects of this measure, although they were of little importance when viewed with reference to foreign competition. If we were the only manufacturers in the world, and possessed a monopoly, we should be enabled to lay a tax on everybody by reducing the hours of labour. But so far were we from having a monopoly, that we had the greatest difficulty in competing with our numerous and formidable rivals in the principal markets of the world. Our principal monopoly formerly consisted of machinery, but the exportation of that was now permitted,

for our best workmen were seduced from us by the high wages which were offered them from abroad; and by permitting the exportation, we had now converted an inevitable loss into a certain gain. The consequence, however, was, that every manufacturer of machinery in Lancashire was busied with foreign orders, and all our improvements in machinery were immediately sent to Belgium, Italy, Austria, Russia, and the United States. At present Russia imported 15,000,000 lbs. of cotton yarn; but last year she imported a large quantity of raw cotton; and we should ere long lose her market. Switzerland now consumed 50,000 bales of cotton, and all but the finest numbers of our yarns were excluded by her own cheaper productions. France now spun 350,000 bales of cotton; and America, which was our most formidable competitor, having cheaper cotton and unlimited water power, completely beat us in low and stout cottons, and not only supplied her own consumption, but exported to China, Canada, and New Brunswick. The present consumption of America was 450,000 bales of raw cotton. It should be remembered also, that all the continental nations, as well as the United States, worked longer hours even than we did now, and that this Bill would affect our staple article of manufacture, which formed four-fifths of our exports. He asked, then, whether this was a matter which should be lightly or inconsiderately dealt with, and against the wishes of those whose capital gave employment to the operative classes? Was this, too, a moment for trying a rash experiment, the result of which would be the same as if one-sixth of the mills in England were burnt to the ground. He entirely agreed with his noble and learned Friend in thinking that the operatives, whose wishes the House was bound to consult, did not desire this Bill with its consequences, and that they did not apprehend that they would get only ten hours' wages for ten hours' work. This was proved by the fact, which was worth all the declamation on the subject, that none of them had asked their masters for ten hours' work and ten hours' wages. The master who worked short time, and therefore gave short wages, found his hands leave him. He considered that all these attempts at interference with labour and capital were unfounded and mischievous. Why should they apply this principle solely to factory labour, and why not carry it into every branch of industry where labour was employed? Were their Lordships prepared to carry this law into every workshop and counting-house in the country? Were they prepared to assent to a Bill compelling their Lordships to give up one-sixth of the time of their domestic servants, because Parliament thought that they ought to have more time for intellectual improvement? He would ask the noble Duke on the opposite side whether he was prepared to pass such a law for agricultural labourers?

The DUKE of RICHMOND was understood to observe, that half of the agricultural labourers died from excess of labour.

The EARL of CLARENDON said, that his noble Friend had not answered his question, whether he would like to have a law which would make it penal to employ labourers in harvest time more than nine hours a day, and only eight on a Saturday? He should like to know what the tenant farmer would say if a law were passed that he should not employ a labourer to work when he pleased, and as long as he thought proper. He would beg their Lordships to remember that oscillations in trade must occur, and that periods must arrive when the operatives would be obliged to work short time against their will; and he would ask whether it was humane or justifiable to say that the operatives should not earn wages in times of prosperity which would enable them to make some provisions for disastrous periods. In the order of nature better seasons than the present would arrive, and with them would come large demands for our manufactures from abroad; but if this law was to limit the amount of production, and increase prices, it would deprive our manufacturers of all means of recovering from periods of depression. The effect of the Bill was to put an income tax on the poor factory operatives, not of 3 per cent, but of 15 per cent, with this difference, that a deduction to that extent from his comforts was more injurious to him than a similar deduction from a rich man's income. He fully believed that all attempts on the part of Parliament to regulate capital and labour would fail, and for these reasons he must give his vote against the second reading of the Bill.

The BISHOP of OXFORD felt that he owed an apology to their Lordships for rising to address them at so late an hour; but he had a pressing desire in his own mind to make some observations upon

what had fallen from his noble and learned Friend who had moved the Amendment, and also from the noble Earl who had just sat down; and he should therefore state very briefly the simple ground on which he desired to give his vote in favour of the Motion of the noble Earl. It seemed to him that the opposition to this Bill was grounded to a very remarkable degree upon a number of unproved assertions. It had been taken for granted, in the first place, that they would be running a great risk of driving the British manufactures abroad; in the next place that they were about to pass a law to which the factory labourers were themselves unwilling to assent; while, in the third place, they were going to force upon the master manufacturers a measure which would deprive them of an adequate supply of labour to carry on their mills with profit. Now, what was the fact? So far from the factory labourers being unwilling to accept this Bill, more than two-thirds of that very body had petitioned their Lordships to pass it; and the same fact might be asserted of the master manufacturers. The noble Earl had supposed the case of a Minister imposing an income tax upon their Lordships to increase their knowledge and improve their morals; but was that case a parallel to the present? Was it like the case of answering the prayer both of the workmen and of the master manufacturers, who alike called upon their Lordships to shelter them from the covetous desires of a few, and whose endeavours were unavailing without the agency of their Lordships to introduce this great national good? The noble Earl had argued, that the wages of the labourer would fall one-sixth in consequence of the time of labour being reduced one-sixth. But the question was not, what was the portion of time deducted in the course of a single day, but what was the amount of prohibition from labour for the year round? He considered it to be only a prohibition against uncertain labour, and that, taking the period of the last ten years, it would be found, though at some intervals men were idle, and at others they were overworked, that upon the average the work actually performed was not more than ten hours a day. What was the result? It showed that there existed a great desire on the part of the manufacturers to employ large bodies of men extra hours at uncertain periods, to meet sudden demands, instead of being willing to share the market with others by employing men for limited hours, thereby keeping up a continued stroke of work, and a continued average demand of labour. But was it true that this deduction of time from the labour of the factory would amount to a loss of one-sixth, as stated by the noble Earl? It was a matter of calculation. The first expense in a factory was the purchase of the raw material in the country where it was produced; the next expense was the bringing the raw material to this country; then there was the interest of the money vested in the machinery; then he had to pay for the labour in manufacturing it; and next, the expense of exporting the goods when manufactured. Now, the manufacturer reckoned in this way. Supposing that upon the whole capital laid out he made a profit of 24 per cent, he would appropriate it thus:—5 per cent upon his money; 6 per cent for wear and tear of machinery; 12 per cent for oil, coal, &c.; 1 per cent for gas light—making up altogether 24 per cent. Now, it was only upon the 5 per cent item that any possible increase of expense could be occasioned to the manufacturer by this Bill; because upon all the other items of per centage there must necessarily be a diminution of expense, which would, of course, so far diminish his loss upon the 5 per cent item, that was to say, the wear and tear of the machinery would be less, the consumption of oil, gas, &c., would be less; so that the actual amount of loss on the interest of the capital was not to be ascertained merely by considering the deduction from the hours of work. This was a most important point in considering this question. It had been assumed in argument that if one-sixth of the labourer's work were taken off, one-sixth of his pay must also be deducted; and the noble Earl had stated that the workpeople had been altogether deceived upon this question, and that they had been made to believe that they would be paid just the same amount of wages which they now received. although they worked less time. Now he (the Bishop of Oxford) had himself addressed the labourers upon this very subject, and had urged the argument which the noble Earl had himself advanced; and what was the answer which the people gave him? "Why," said they, "that is the argument of my Lord Brougham; but there is nothing in it." He (the Bishop of Oxford) did not say that there was nothing in the noble and learned Lord's argument; but, at all events, it showed that

there was nothing so very new in the proposition. However, to return to the working men's answer:—"That," said they, "was Lord Brougham's argument; we have gone thoroughly into it, and we have come to this conclusion, that our wages will probably sink one-twelfth by the reduction of one-sixth of our work." Reckoning three in a family, earning 9*s.* a week each, making 27*s.* a week for the whole family, this amount might possibly be reduced by one-twelfth by this alteration. This reduction they were prepared to stand the loss of; and from the highest motives—for they declared that they could not bear to see, as they now saw, a young female, who, if the Legislature willed it, might grow up to be the healthy mother of a family, wasted in body and injured in morals by the overworking system that obtained for them a miserable addition of one-twelfth of what they otherwise would earn. These men accordingly said, that so far from acting blindly and in the dark, they rejoiced to forego the one-twelfth. But the great weight of the noble Earl's argument appeared to be directed to a point on which he seemed to entertain very serious fears —namely, that this measure would encourage foreign manufactures, and disturb the present commercial relations of the world. The noble Earl had on this occasion somewhat yielded to a fear of foreign competition, to which, in former days, he was so magnanimously a stranger; but to him (the Bishop of Oxford) it seemed that the noble Earl had greatly misrepresented the risk that would be run. The noble Earl stated that 37,000,000*l.* of goods were exported annually; and he argued that this measure would at once, perforce, inflict a loss of one-sixth of that amount upon the trade of this country. The noble Earl went further, and said, that the whole gain of the manufacturers was obtained in the last two hours of each day's work, and that if those two hours were taken away the consequence would be that the British manufactures would be driven abroad. That, however, was no new argument; but it was altogether untrue. Did their Lordships believe that all the wealth and power of the manufacturers of this empire was made up of a small fraction of a factory labourer's day's toil? Could they for a moment conceive, that by limiting the labour of the factory worker to ten hours a day instead of twelve, they would sweep away all the manufactures of the country, and drive them abroad? It seemed to him that the humanity of the noble Earl was leading him astray. Let their Lordships remember what those two last hours were. Let them place themselves for a moment in those factories which the noble Earl had described as being so comfortable and pure. Let them remember that he was speaking of young females who had to follow the rapid motions of the machinery of a mill; it was a disputed point in the manufacturing districts, whether the time these poor females had to walk in the fœtid atmosphere of those mills was twelve, eighteen, or twenty-seven miles a day. Let their Lordships remember this, and remember also the fixedness of the attention which was necessary for these young women to maintain when walking in the midst of a factory, where danger threatened them at every turn, and where a single instance of negligence might be attended with loss of life or limb. Let their Lordships consider all these things, and then let them say whether they will believe that the last two hours of that easy work in a comfortable warm room was the basis of that greatness of which the British manufacturer might so justly boast? Could their Lordships believe that upon the last two hours' labour of that trembling hand, tending upon that machinery, after long, unceasing, and heart-consuming attention, when nature almost refused to perform her functions—could their Lordships believe that upon those two last hours depended all the profits and accumulations of the manufacturers? He believed that the work done in those two last hours was infinitely inferior in quality to that which was done in any other portion of the day. It was demanding work when nature refused the power of working. So far from this measure being a speculation, the Messrs. Marshall, of Leeds, had reduced their time of labour voluntarily to eleven hours a day. Many other firms had done the same. He had a return of the quantity of work done during five weeks when the mill was worked twelve hours a day, and also of the quantity of work done during five weeks when the mill was worked only ten hours a day; and it appeared that during the five weeks, at ten hours' labour a day, the master's profits slightly exceeded the profits of the five weeks labour at twelve hours a day. But then the friends of this measure were told that they were acting rashly, and upon the dictates of an

unmeaning humanity. But this measure was no new experiment. Why, their Lordships would remember, that so long back as 1815, Sir R. Peel, the father of the present right hon. Baronet, introduced a Bill for the purpose of limiting the hours of labour; and it was that Bill which formed the foundation of the present measure. That Bill had been argued, sifted, and, at length, adopted, from a growing conviction on the part of the manufacturers that it was a sound and wholesome measure. Every master manufacturer was at first opposed to it; now two-thirds of them were for it. For all these years this cause had been slowly winning its way against the greatest of all human passions—the love of gain; and yet their Lordships were now told not to act suddenly; not to take a step which they would afterwards bitterly and hopelessly lament. Many attempts had been already made of a similar kind. Their Lordships would remember the Bill passed two years ago to prevent women working in mines. Every argument employed at the present time against this measure had been used then. They were told when the Bill to effect that improvement was brought in, that it was the maddest thing in the world to endeavour to settle by legislation the connexion between labour and wages. They were told that the persons whose labour was to be affected would be reduced to starvation in consequence of the interference; but they did not heed these anticipations—they passed the measure, and the result was, that more work was done than before, and in a better manner, while the condition of the women, both in a moral and physical sense, had been greatly ameliorated; and, in fact, all the good which had been expected from the measure had been produced. The principle of non-interference with labour had been given up, in fact, when it was agreed that twelve hours was to be a limit, and when the labour of children was regulated; so that the objection could not be held upon that principle. This measure formed no exception to the rules of political economy. If, indeed, they attempted by legislation to regulate the wages of labour, it would be an infraction of the principles of political economy; but by this measure they did not make any such proposition—they merely said it was wrong to create wealth by the sacrifice of the health and morals of a portion of the people—that wealth so obtained was unlawfully obtained—and that any nation which sanctioned such a mode of obtaining wealth could not prosper. Such a statement could not be said to be opposed to the principles of political economy; and it might as well be said that it was opposed to political economy to abstain from working on Sundays. There was no doubt that it would be more profitable to work seven days than six; but would it be right to do so? The folly of legislation was needless interference—the wisdom of legislation was necessary interference where it was demanded by the moral and physical condition of the people. They did not say to a man that he would be allowed to build a house in any manner he pleased, even on his private property, without regard to the interests and rights of society. No; but they said that he should not interfere with the rational liberty of others, and that he should not build an unsafe house, or one which would be dangerous to the public. It was the duty of the Legislature to do as it was proposed to do by this Bill, namely, to protect those who could not safely protect themselves. From what were they to protect them? From being forced to work to such an extent that the interests of society would be sacrificed by that labour. He did not speak of the danger of allowing people to remain with sorrowing and saddening hearts under sufferings which they had borne with such exemplary patience, and thus driving them to take the law into their own hands. He did not speak of that danger, although he believed there was nothing more dangerous than for the representatives of a great people to leave one of their justest desires unsatisfied, and to put off the remedy with cold negation or needless delay. The employers of labour had it in their power to remove the objections which now exist; but if the Legislature did not interfere in this case, how could the people proceed to obtain a remedy? Only by combination. Were their Lordships then to show to the people that their only mode of obtaining redress was by combination amongst themselves? He had spoken to them upon this subject, and they told him that in the combinations which had been entered into on the subject of adult labour, great difficulty was found in preventing unlawful proceedings from being mixed up with their undertakings, and that formed a great objection to any combination in order to provide a remedy for the evil of the present hours. If they were driven to combina-

tion for redress, it would, in his opinion, be productive of one of the greatest dangers which could exist. He besought their Lordships, therefore, not to deprive them of this relief—he besought them not to refuse them redress from any fear that it would diminish our manufacturing productiveness, or drive our manufacturers to foreign countries. What gave us this great and magnificent superiority in manufactures which we possessed? In the first place, the security of all property which is invested in manufactures in England, and next the wonderful industry, power, and patience of the persons who work our machinery. See, then, what we were doing. If we were bringing up in our manufacturing districts a vast population who were altogether strangers to the highest motives of moral conduct, it was surely scarcely consistent with the security of this great nation; and so far as regarded the maintenance of our manufactures, nothing was so likely to drive our manufacturers abroad as to feel that in this country they were not safe from the violence of an untaught and ungovernable populace. He besought their Lordships to consider that by doing anything which tended to the physical deterioration of the people, they were diminishing the strength of the right arm of the country. Let them think as they might, this world was governed on moral principles, and retribution would surely come. They might depend upon it that what was politically wrong could not be politically expedient—there could be no trifling with moral principles; and in the long run they might depend upon it that by some of those numerous channels which regulate productive labour, the Government would discover that if they neglected the people's welfare to make the nation rich, they would make the nation poor in debasing the people.

Lord WHARNCLIFFE, who was very imperfectly heard, said, their Lordships were not now to debate the principle of interference with labour; that had been introduced so long ago as 1801; and in 1815, in 1819, and again in 1844, that question had been raised and decided. The state of society required such interference in particular cases; and the circumstances under which some portions of the labouring population were compelled to sell their labour, exempted them from the ordinary rule. It was a mockery to talk of the freedom of the labourer; there was, in fact, no free-labour market. After all the discussion which this subject had undergone, what had been the effect produced upon the public mind? Why, the result had been most favourable to this measure; for to the number of petitions in favour of the Bill, there had been 178,000 signatures, and only about 1,000 against it. He contended, that by requiring females to be at work for fourteen hours, including the two hours for meals, they were exacting more labour from them than was taken from the men employed in almost any other department of industry in the country. He believed that among a great mass of the people of this country there was a growing conviction that some interference was necessary to protect the moral and religious interests of the working people; and he hoped, therefore, that their Lordships would consent to the passing of the present Bill.

The Bishop of ST. DAVID'S felt it his duty to say a few words on this question, though he did so with reluctance, because what he did say might have a tendency to weaken the impression their Lordships had received from the most eloquent and effective address of the right rev. Prelate who had already delivered his sentiments. Nevertheless, the subject was one of such great importance, that he craved their indulgence for a few minutes, while he gave the reasons which, notwithstanding all that had been said on the opposite side, would induce him to vote for the Motion of the noble Earl. He agreed with the noble and learned Lord (Lord Brougham), that the physical comfort and welfare of the working classes were the most essential of all considerations, and ought to be especially attended to by their Lordships, because they were the basis of every other benefit which could be conferred upon them, and were necessary to their receiving other and higher degrees of improvement. The noble and learned Lord, however, had failed to prove that the limitation of the hours of labour proposed in the Bill, would be injurious to the physical comfort of the people. The noble and learned Lord had admitted that there were cases in which it was the duty of the Legislature to interfere for the protection of the labouring portions of their subjects; and he thought that this was clearly one of the cases in which such interference was justified. It was a question on which they could not plead want of information; for the Legislature had the fullest means of obtaining all the information that was requisite to form a judgment.

He agreed with the noble and learned Lord, that the principles of political economy were the principles of common sense; and he should like to know in what particular the proposed measure, if enacted, would infringe on the principles either of political economy or common sense. Instead of that — instead of being a constraint upon the rights of freedom, he appealed to past experience whether or not in too many instances the employers in this country had not abused the powers they possessed; and, therefore, instead of the present Bill being an interference with labour, it would constitute a wholesome restraint against the abuse of power—it was substituting a system of restraint for a pernicious system of coercion. There was, he believed, no view of the subject taken up by the noble and learned Lord which had not been present to the minds of the working men of this country. They had fully considered the question—they had the means of forming an enlightened judgment on that question; and in the conclusion they had come to, he believed they were more likely to be right than those with whom they differed, as no other persons, whatever might be their station, could have the same advantage in fully considering the subject. They had been told that the most disastrous consequences were likely to arise from the adoption of this measure; and much stress had been laid on the injury it would create to the comfort and welfare of the working men, and the reduction of wages which would be occasioned. But the working men themselves did not entertain these opinions; and they expressed their belief that the statements of the noble and learned Lord on this part of the subject were greatly exaggerated. He found then, on the one hand, that there were objections to the Bill, denied by those who knew best their real force—the working men themselves; and, on the other hand, there were the interests and well-being of the working classes, the necessity of supporting which was acknowledged and admitted by all. He entreated their Lordships, then, not to be carried away by the idea that, if they adopted this measure, they were making a perilous experiment. He maintained that the peril was all on that side on which the evil was now manifest, and that, by adopting the present measure, they were taking the safest and wisest course —and that which, to all appearance, was calculated to give the greatest benefit to the greatest number of their fellow creatures.

LORD ASHBURTON considered, that, in a case in which the interests of humanity and benevolence were deeply involved, it was but natural that the right rev. Bench should be interested in it; but they ought to make it clear that the cause they espoused was one of humanity; and their Lordships were bound to consider whether, in carrying out that principle of humanity, the manufactures of the country would survive the operation. The great objection which he entertained to now giving his vote in favour of this measure, was founded on the fact that they were proceeding to legislate with but imperfect information. He denied that, generally, the operatives would be found to be in support of the Bill; and, even granting that such was the case, he doubted if the operative was not guided too much by his wishes and hopes, and too little by his judgment. The master manufacturer was in a position to discern with far greater clearness the probable effects of such a restriction upon labour both upon himself and upon those he employed; and, while he reminded their Lordships that the majority of the millowners were opposed to the Bill, he admitted that the number of those who had declared an opinion in its favour offered a strong reason why those practically unfamiliar with the question should now lean to the side of that which was supposed to be humanity. If he had seen any disposition on the part of their Lordships to reconsider the subject in Committee, and then agree to an Eleven Hours Bill, he should have voted for the second reading on this occasion; but, as there was no ground for such a supposition, he felt himself called upon to support the Amendment of his noble and learned Friend.

On question, that "now" stand part of the Motion, House divided:—Contents 53; Not-Contents 11: Majority for the second reading 42.

List of the NOT-CONTENTS.

Cottenham, Lord Chancellor.	Radnor
EARLS.	LORDS.
Auckland	Ashburton
Burlington	Beaumont
Clarendon	Brougham
Lonsdale	Monteagle of Brandon
	Wrottesley

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Monday, May 17, 1847.

MINUTES.] PETITIONS PRESENTED. By Captain Duff, from William Longmore, Distiller, Milton, Keith, (Banffshire), respecting the System of Bonding Spirits.—By Mr. Bankes, from Inhabitants of Affpuddle (Dorsetshire), respecting the Poor Law.

RAILWAY COMMISSIONERS' REPORTS.

On the Motion of MR. FITZROY, the Resolution of April 22nd was read as follows :—

"*Resolved*—That all Railway Bills in the present Session be referred to the Railway Commissioners, for their Report to this House upon the following points previously to a decision on the Preamble of any Bill by the Committee thereon."

MR. FITZROY then moved—

"That the said Resolution be suspended for the remainder of the Session."

He made this Motion on the ground of the delay in the production of the Commissioners' Reports, and the comparative inutility of those documents.

MR. STRUTT said, that it was not possible that the reports of the Railway Commissioners could be more ably or expeditiously made out; no expense or trouble was spared, and their authority was very great, and he could not think that they were valueless. They had prevented a great many evils from occurring, and, especially, they had prevented railway companies from increasing their capital to an unlimited amount.

MR. SHAW had no desire to disparage the exertions of the Railway Commissioners, or the importance of their reports on the Railway Bills in progress; all he sought was, that the Committees on those Bills should not be delayed as they had been. He should be afraid to name the sums that he understood had been expended in consequence of the interruption of the sittings of the Railway Committees upstairs in pursuance of the resolution of the House, that Committees should not proceed to a decision on the preamble, until the reports of the Railway Commissioners had been presented; but he believed the expense of the delay to the several parties writing for those reports had already exceeded many hundred thousand pounds. That could not be allowed to continue; and what he would suggest was, that either the Committees should not sit until the reports were ready, or that the resolution should be modified so as only to require that the Bills should not be read a third time until the reports were before the House. The present practice led to the absurdity, that although the decisions could not be formally, yet they were virtually made, and communicated to the parties, as had been the case in a Committee of which he was then chairman; otherwise the expense that would have been caused to the parties would have been enormous.

MR. ELLICE said, that no person lamented more than he did the difficulty which had been experienced in carrying out the resolutions which he had ventured to propose; and he must again say, in his own defence, that this matter of difficulty should not have been allowed to remain in the hands of any individual Member of that House. What had fallen from his right hon. Friend the Chief Commissioner of the Railway Board fully bore out his original statement, in which he had recommended the House to come to this decision. He would not repeat what his right hon. Friend had said; but there were in many of the Bills which had been prepared during the present Session, so many conflicting propositions with respect to the powers for raising capital and for raising loans, and for amalgamating and uniting companies, and many of which had been so preposterous, that upon the first attempt at examination before the board, the parties themselves had been ashamed of their own propositions, and had withdrawn them. Many of them, quite contrary to all principle, and in defiance of the Standing Orders of the House, had gone before different Committees of the House to ask for powers which they knew could not be granted. He certainly thought it was not fit this state of things should continue, and something ought to have been done to effect an Amendment. The whole question of railways was one which Parliament ought to take up, in order to provide a remedy for the evils which were complained of in the debate of last Friday. He should recommend his hon. Friend to put up with the present inconvenience, in order to have an inquiry taken in that Committee which the Government had declared was necessary for the public safety.

MR. HUDSON thought there was great delay in the production of the Commissioners' reports, and the consequent expense caused to parties engaged before the Railway Committees was, as the right hon. Gentleman (Mr. Shaw) had said, enormous. He supported the Motion.

The CHANCELLOR OF THE EXCHEQUER said, that it was an universally

agreed proposition by the House, that no Committees should come to a decision before they received the report of the Railway Commissioners. This was the unanimous opinion of the House. Nothing had been found to affect the character of the reports of the Railway Commissioners, and yet the object of the hon. Member was to enable Committees to come to a decision on the preamble of the Railway Bills before the Committees received those reports. He did not see any reason for the alteration.

MR. HUDSON and MR. W. PATTEN supported the Motion.

MR. BAILEY said, the resolution was not only an inconvenience to the Members of that House, but to all parties who came before the Committees; and it ought, therefore, to be rescinded.

MR. F. T. BARING trusted that the House would not abandon the resolution which it had passed at a former period of the Session. The object of that resolution was to draw the attention of the Committees to a matter of very great importance, which had been formerly neglected—the amount of capital raised and paid up by these railway companies. It was true there had been some inconvenience and delay resulting from the operation of this resolution; but then the business of the House was to make good and perfect laws. If every resolution were to be set aside on the ground of delay, the House would find that none of its salutary resolutions would be attended to. Besides, the fault of the delay did not rest with the Commissioners. In fact, it had been stated that the delay of completing some of the reports had arisen from some of the companies not having sent in their returns. He should most certainly oppose the Motion.

MR. E. ELLICE, JUN., thought that a part of the difficulty might be obviated if an understanding were come to between the chairman of Select Committees and the chairman of the Commissioners of Railways.

MR. FITZROY said, that the feeling of those who were opposed to his Motion might perhaps be got over if he inserted the words "Committees now sitting." His impression was that his Motion was necessary; and as he heard no objection to it to warrant him to withdraw it, he would press it to a division.

The House divided:—Ayes 70; Noes 102: Majority, 32.

List of the AYES.

Aldam, W.	Hope, Sir J.
Allix, J. P.	Hornby, J.
Bailey, J., jun.	Houldsworth, T.
Baillie, H. J.	Hudson, G.
Baillie, W.	Hughes, W. B.
Balfour, J. M.	Ingestre, Visct.
Bankes, G.	Layard, Maj.
Barrington, Visct.	Lockhart, A. E.
Bell, M.	Lockhart, W.
Benett, J.	Lygon, hon. Gen.
Bennet, P.	Mackenzie, T.
Bentinck, Lord G.	Mackenzie, W. F.
Berkeley, hon. C.	Marton, G.
Blackburne, J. I.	Masterman, J.
Blackstone, W. S.	Molesworth, Sir W.
Boyd, J.	Morris, D.
Buck, L. W.	Mundy, E. M.
Cavendish, hon. G. H.	Muntz, G. F.
Drummond, H. H.	Neville, R.
Duckworth, Sir J. T. B.	Newdegate, C. N.
Duncombe, hon. A.	Newport, Visct.
Duncombe, hon. O.	Northland, Visct.
East, Sir J. B.	Palmer, R.
Entwisle, W.	Pechell, Capt.
Escott, B.	Scott, hon. F.
Fielden, Sir W.	Shaw, rt. hon. F.
Ferrand, W. B.	Smollett, A.
Fitzmaurice, hon. W.	Somerset, Lord G.
Forbes, W.	Spooner, R.
Fuller, A. E.	Tollemache, J.
Gladstone, Capt.	Trevor, hon. G. R.
Goring, C.	Waddington, H. S.
Grogan, E.	Wall, C. B.
Hall, Sir B.	TELLERS.
Hamilton, Lord C.	Fitzroy, hon. H.
Hodgson, R.	Cripps, W.

List of the NOES.

Antrobus, E.	Ewart, W.
Arkwright, G.	Gaskell, J. M.
Baine, W.	Gibson, rt. hon. T. M.
Barclay, D.	Graham, rt. hon. Sir J.
Baring, rt. hon. F. T.	Greene, T.
Barnard, E. G.	Grey, rt. hon. Sir G.
Bellew, R. M.	Hamilton, W. J.
Bowring, Dr.	Hanmer, Sir J.
Brotherton, J.	Hastie, A.
Browne, hon. W.	Hatton, Capt. V.
Burroughes, H. N.	Hawes, B.
Carew, W. H. P.	Heathcote, Sir W.
Christie, W. D.	Herbert, rt. hon. S.
Clay, Sir W.	Hodgson, F.
Clerk, rt. hon. Sir G.	Howard, P. H.
Colebrooke, Sir T. E.	Hume, J.
Collett, J.	Hussey, T.
Coote, Sir C. H.	Hutt, W.
Dawson, hon. T. V.	Inglis, Sir R. H.
Deedes, W.	James, W.
Denison, W. J.	James, Sir W. C.
Denison, J. E.	Jervis, Sir J.
D'Eyncourt, rt. hn. C. T.	Kemble, H.
Dickinson, F. H.	Labouchere, rt. hon. H.
Divett, E.	Langston, J. H.
Duncan, G.	Le Marchant, Sir D.
Dundas, Sir D.	Lemon, Sir C.
Ebrington, Visct.	Lincoln, Earl of
Egerton, W. T.	Lindsay, Col.
Ellice, rt. hon. E.	Loch, J.
Estcourt, T. G. B.	Mackinnon, W. A.
Etwall, R.	Maitland. T.

Mangles, R. D.
Martin, C. W.
Maule, rt. hon. F.
Milton, Visct.
Mitcalfe, H.
Morgan, O.
Mostyn, hon. E. M. L.
O'Connell, M. J.
Ord, W.
Oswald, A.
Paget, Col.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pattison, J.
Peel, rt. hon. Sir R.
Philips, G. R.
Rich, H.
Russell, Lord J.
Russell, Lord C. J. F.
Rutherfurd, rt. hon. A.
Scrope, G. P.
Shelburne, Earl of
Sheppard, T.
Stansfield, W. R. C.
Thornely, T.
Trotter, J.
Troubridge, Sir E. T.
Tufnell, H.
Turner, E.
Walker, R.
Watson, W. H.
Wawn, J. T.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wood, Col. T.
Wrightson, W. B.
Young, J.

TELLERS.
Hill, Lord, M.
Strutt, rt. hon. E.

QUARANTINE.

DR. BOWRING wished to ask a question of the right hon. Gentleman below him, the Vice-President of the Board of Trade. It was reported that a considerable change was to take place, or had already taken place, with regard to the quarantine laws. He wished, therefore, to know if any new regulations were contemplated, and what they were?

MR. M. GIBSON said, that orders had been given that, with regard to vessels from Egypt and Syria, they were to be put under the same regulations as were applicable to vessels from Turkey, and they were to be admitted to free pratique provided they had clean bills of health, and were not laden with susceptible articles. There were further regulations under consideration.

SOLDIERS' KNAPSACKS.

MR. WAKLEY wished to ask the right hon. Gentleman the Secretary at War what steps had been taken to investigate the merits of the knapsack and girdle invented by Mr. Berington, according to the promise which the right hon. Gentleman would remember he had given in the debate on the Army estimates last Session?

MR. F. MAULE recollected that the subject had been brought under the consideration of the House when the Army estimates were brought in last year; but he did not recollect that he had said anything which could induce the hon. Gentleman to suppose that he would subject the knapsack to any inquiry. He himself, however, had since that debate looked at the knapsack, and he had no hesitation in saying that he did not think it deserved the encomiums which had been passed upon it. It was inconvenient, inasmuch as before you could get anything out of the bottom it was necessary to turn the contents on the ground; it was complicated in its details; it was thirteen ounces heavier than the knapsack at present in use, and its price was 28*s.*, the price of the present knapsack being only 14*s.*, which, as the soldier paid the price in case of losing his knapsack, was to him a matter of no slight importance. He had therefore thought it his duty not to recommend the use of Berington's knapsack.

FOOD RIOTS (ENGLAND).

MR. ESCOTT, referring to the accounts in the newspapers that large bodies of people in Exeter and Taunton and some other towns in the west of England had proceeded to the markets, and compelled the dealers in provisions, both corn and meat, to sell them at such prices as those bodies of people chose to fix, begged to ask the Home Secretary whether those accounts were authentic, whether there was occasion for that alarm which certainly prevailed throughout the western parts of England, and whether there was any information upon the subject which he was prepared, consistently with his duty, to lay before the House?

SIR G. GREY had received communications from the Lord Lieutenant of Cornwall, and from the civil authorities of Exeter, giving an account of some disturbances which had occurred in the latter part of the week at Exeter and in its neighbourhood, and in several parts of the east of Cornwall, alleged to be in consequence of the high prices of provisions; from Taunton, however, he (Sir G. Grey) had received no official representation of any such disturbances, although he had seen statements respecting them in the newspapers and in private letters. But he was happy to state, that in consequence of the prompt and judicious measures adopted by the local authorities, order had been restored; and he hoped that there was no cause for alarm with respect to the future.

DISTILLATION FROM GRAIN AND SUGAR.

MR. H. J. BAILLIE asked whether the Government had now any intention of prohibiting distillation from grain in consequence of the high price of provisions?

The CHANCELLOR OF THE EXCHEQUER entertained very great doubt whe-

ther any considerable advantage would arise from adopting such a measure; and the hon. Member must see that, unless very great advantages would arise, much inconvenience could not but result from putting a violent stop at once to a large branch of commerce. Nothing gave so great a stimulus to illicit distillation as putting an end to the legal traffic. In Ireland, at this moment, illicit distillation prevailed, where it certainly might have been supposed that the wants of the people would have prevented it. The measure alluded to by the hon. Member could produce very little good effect just now. About 1,300,000 quarters were used in distillation in the year, but 1,000,000 of them had been already used; only about 300,000 more would be used before the harvest, and 100,000 of these had been already prepared; and, therefore, the utmost advantage that would be derived from stopping distillation from grain would only involve about 200,000 quarters, which had probably been already bought by distillers, and which they would be compelled by such a course to sell. Distillation from sugar was already carried on in Glasgow and other parts of the country; and notice had been given by some large distillers in the metropolis, that they were about to commence it on a large scale. Any obstacles that stood in the way of distillation from sugar would be removed, and he believed it would be carried on to a very great extent, and would have a very considerable advantage in price. Some further reports had been laid before the Board of Excise upon the subject, fully corroborating the report laid on the Table early in the Session, and showing the very great advantage which would arise from the use of sugar.

COLONIAL REPRESENTATIVE GOVERNMENTS.

In answer to MR. HUME,

MR. HAWES stated, that a measure was in contemplation—he might say in preparation—with a view to give the benefits of the British constitution to the Australian colonies generally, which undoubtedly would comprehend Van Diemen's Land. There were some difficulties with regard to Van Diemen's Land, arising from the relative proportions of free and convict population; but the subject was under consideration. He could not say that a measure would be produced so late in the Session; but it was in an advanced state, and had been well considered, and would assuredly very speedily, either in this Session or the next, be brought under the notice of Parliament.

MR. HUME inquired whether that measure would include the West Indies?

MR. HAWES was not prepared to give any decided answer with respect to the West Indian colonies; but several of them had representative institutions already.

THE POOR LAW COMMISSIONERS.

LORD J. RUSSELL moved the Order of the Day for the Second Reading of the Poor Laws Administration Bill.

MR. FERRAND rose to put a question of which he had given notice. It would be recollected that the Andover Union Committee sat for four months; and the Poor Law Commissioners were examined and re-examined, and recalled at their own request to contradict any evidence brought to bear upon their characters and conduct. On the 20th of August last, the Committee reported—

"That the conduct of the Poor Law Commissioners had been irregular and arbitrary, not in accordance wito the statute under which they exercised their functions, and such as to shake public confidence in their administration of the law."

The public then expected that those Gentlemen would have been instantly dismissed from the offices they held; but what was the conduct of the Government? On the 31st of August, the Home Secretary sent them a letter conveying certain instructions; and on the 8th of September they sent him their private defence. That defence had been since laid on the Table of the House; and on the 5th of March it was ordered to be printed. He had it then before him; and he declared unhesitatingly that it contained the most audacious untruths. ["Oh, oh!"] He was prepared to prove that, if any hon. Member disputed his assertion. But what had the Poor Law Commissioners done? They had published that defence at Her Majesty's stationers', and emblazoned it with the Royal Arms. Not content with this, they were circulating it not only among Members of Parliament, but among persons entirely unconnected with either House, or with any of the public offices; a copy was sent, for instance, to a tradesman in Oxford-street, with the Commissioners' seal. He begged to ask the Chancellor of the Exchequer, whether the private defence of the Poor Law Commissioners to the charges brought against them before the Andover

Union Committee (entitled *Letters addressed by the Poor Law Commissioners to the Secretary of State, respecting the Transaction of the Business of the Commission,*" &c. embellished with the Royal Arms, and "*printed by W. Clowes and Sons, Stamford Street, for Her Majesty's Stationery Office,*") had been printed and circulated with the sanction of Her Majesty's Government? If printed and circulated with the sanction of Her Majesty's Government, whether he intended the expense to be defrayed out of the public purse? If printed and circulated at the public expense, whether he would lay upon the Table of the House a statement of the expense?

The CHANCELLOR OF THE EXCHEQUER did not mean to say that the hon. Gentleman was out of order, but certainly it was inconvenient, when notice of putting a simple question had been given, to go into an impeachment of the conduct of the Poor Law Commissioners, asserting that they had told a direct falsehood with respect to a matter not quite directly connected with the question. If that were the hon. Member's opinion, he would be right in making a Motion upon the subject; but it was hardly fair to introduce such a charge under the guise of putting a question. In answer to the question or questions put, he (the Chancellor of the Exchequer) must first observe, that the hon. Member was wrong in speaking of this as "a private defence." The Commissioners were called upon by the Home Secretary to answer certain inquiries which he addressed to them on certain subjects connected with the administration of the Poor Law; and they made what could not be called a private defence, for it was a public answer to a public requisition on the part of the Secretary of State; they wrote certain letters which had since been laid on the Table of the House. It was true that those letters had since been published in the form alluded to, and circulated by the Commissioners; and it was true that this had been done without the previous sanction of the Government. But it had been the invariable practice, since the Board was instituted, to publish the reports of the Commissioners, and with very great advantage, in a more convenient form than that of the "blue book," and to circulate them throughout the country in a much more readable shape; and the Commissioners, in accordance with what had been their practice, had printed in the same shape the correspondence connected with their proceedings, in reply to questions put to them officially by the Secretary of State. With regard to the expense of the publication being defrayed out of the public purse, he thought it ought to be so paid, because they had only acted in accordance with their previous practice. The expense, he believed, would be about 10*l.*; but he should be perfectly prepared to lay an estimate of it on the Table if the hon. Member wished for it.

TEMPORARY RELIEF (IRELAND).

Mr. P. SCROPE wished to ask the question of which he had given notice—whether the right hon. Gentleman the Secretary for Ireland was prepared to lay before the House any statement as to the progress of the system of relief in Ireland under the Temporary Relief Act? That measure passed on the 26th of February. Three months had since elapsed, and, so far as he had ascertained, it had not been carried into effect in a very large number of districts. Accounts were continually arriving of delay. The *Dublin Evening Post* of last Saturday stated that there were many districts in which nothing practical had been done, or, what was worse, in which tricks and pretences were resorted to so as to avoid carrying the Act into effect. From the union of Bantry it was stated, upon good authority, that as yet in no union, electoral division, or district in the great county of Cork, was the Act in operation; though it was said that there the people were perishing at the rate of 1,000 a week; 13,000 persons had consequently been swept off to the churchyard since the Act had passed. Such was the statement of the *Cork Southern Reporter*, which, however, remarked that it was hard to hold the Government responsible; the relief committee at Bantry had not completed its preliminary arrangements, though these were begun in March last. The committee consisted of twelve men. In the previous October two gentlemen had completed the relief list in six or seven days; yet the same task had not been completed by the entire Bantry committee in six weeks. That statement seemed to bear out the charge of blameable, wilful, culpable delay against the relief committees in carrying out the measure in that district. And supposing there was culpable delay, what was the consequence? The people were dying, as described, in large numbers. He had re-

ceived a letter from a gentleman, who stated that in Bantry there had been two large pits dug at Lord Berehaven's gates to receive the bodies of those who died of starvation ; 247 bodies had been thrown into one without a coffin, and 403 into the other, making 650 in all. Lord Berehaven was said to have subscribed only 20*s.* per month to the soup kitchen, and that subscription was withdrawn because the list of subscriptions was published; he had never been seen outside his demesne for a month past, and no employment had been given by him to the people. The people in Bantry workhouse were described as in a state which was scarcely credible. The report of Dr. Stephens, who had been appointed officially to examine the patients, stated that some were lying in their own excrement—that people labouring under fever he found lying five and six in a bed, without one to help them, and without a drop of water to moisten their palates. The relief committee in the district of Bantry having pretended to sit for six weeks without completing a single list, not one ration of food had been distributed among the people. On the 10th of March, sixty labourers were dismissed, and on the 20th of March, six hundred more, representing a population of 4,000 persons. More than two months, then, had elapsed, and no relief had been afforded by the relief committees, which were to provide a substitute for the relief given by the Board of Works. If culpable delay could be brought home to those parties, and it could be proved that they wilfully withheld the relief they were bound to give, he could not otherwise characterize their conduct than as chargeable with wilful murder. They had the law to execute; the law required them to relieve the destitute in the mode prescribed by the Government; and if they did not afford relief according to the necessities of the case, they exposed themselves to a charge of criminal neglect of duty. There were accounts of food riots every day; in five counties, Clare, Limerick, Cork, Mayo, and Kilkenny, there had been repeatedly food riots within the last three months; and if there was such negligence as that alleged in the case to which he had referred, was it astonishing that the people in those unions should try to help themselves, and that the law should be obliged to interpose for the purpose of putting down, perhaps at the expense of bloodshed, such attempts as those unfortunate people made to obtain relief for their families? The danger arose from not providing the means of support in the interval between breaking up the relief works and opening the soup depôts which the law required. He wished to ask the right hon. Gentleman whether there was no means in the power of the Government to compel those of whom he complained to discharge their duty, or to appoint paid officers to provide the relief the committee were so unwilling to provide ? He was not quite sure but the Relief Commissioners had power to appoint such paid officers.

MR. LABOUCHERE : I cannot help repeating an observation made by my right hon. Friend the Chancellor of the Exchequer, that it is not a convenient course for an hon. Gentleman, in putting a question to a Member of the Government, to make a general statement, and one especially containing charges against individuals. The hon. Gentleman has alluded by name to a noble Lord. All I can say is, that I have been in personal communication with that noble Lord; and from my general knowledge of his character, I should be very much surprised if he has acted with the inhumanity with which he has been charged. In reply to the question of which the hon. Gentleman gave notice, I can only state that there is now in possession of the Government the Second Report of the Relief Commissioners in Dublin, containing very ample information as to the working of the late relief measure. That report is in the hands of the printer; it will be ready in a very few days, and will furnish my hon. Friend with the fullest information upon all the points to which he has adverted. In the meantime, I shall only say, that whatever obstacles may have occurred in bringing the new relief measures into operation, they have arisen from no want of zeal, ability, and energy on the part of Sir J. Burgoyne and his colleagues, who are members of the Relief Board. On the contrary, I believe they have laboured with the utmost energy and ability to carry into effect the intentions of the Government and the Legislature. They have had to contend with great obstacles on the part of relief committees, who—I do not say universally, but in many instances—have shown an unwillingness to assist; and they have also been impeded by a very great unwillingness on the part of the people to accept relief in the form now provided, instead of the wages which hitherto they have received. Those people are induced to believe that by resisting the new system

of relief, sometimes even by acts of violence, they will oblige the Government to resort to the old system of roadmaking. I trust the firm manner in which the Irish Government is checking violence, and showing that they will not be coerced by these ebullitions of popular violence to resort to a system which, though justifiable as a temporary system, would not be justifiable as a permanent system, will serve to disabuse those people of the delusion under which they are labouring; that a better spirit will prevail, and the measure be carried into effect, so as to afford relief to the really destitute, without involving the abuses to which the roadmaking system was exposed. But, as the most ample information will be contained in the forthcoming report of the Relief Board on the whole subject, I trust my hon. Friend will be satisfied with my referring him to that report, rather than going into any matters of detail on the present occasion.

Mr. SHAW said, he rose to deprecate the attacks the hon. Member for Stroud (Mr. Poulett Scrope) was in the constant habit of making upon the landlords and gentry of Ireland, and particularly the attack he had made that night, upon no other authority than that of anonymous publications and newspaper paragraphs. Lord Berehaven, whom the hon. Member (Mr. Poulett Scrope) in total ignorance of facts, and in the absence of authentic information, accused of little less than wilful murder, because he was among those whom the hon. Gentleman (Mr. Poulett Scrope) chose to say were systematically neglecting the distressed poor in their neighbourhoods; Lord Berehaven, he would undertake to assert, was a man of as humane and benevolent a disposition as was to be found in any country. He was a constant resident in Ireland, in a very remote district beyond Bantry, where he was incessantly employed in improving the condition and administering to the wants of the people. If, as the hon. Gentleman represented, it was attempted by relief committees to extort subscriptions by the threat of publishing lists of names, then he thought Lord Berehaven, or any other gentleman, evinced a proper manliness by refusing to yield such threats; but he did not mean, and he was sure Lord Berehaven would not so act, that the poor should be losers on that account, but that only each person should be allowed to give in the way he considered most conducive to the advantage of the poor. It was very easy for the hon. Gentleman (Mr. P. Scrope) to talk in that House of administering the Temporary Relief Act in Ireland; but in practice it was extremely difficult. He believed that, generally speaking, the relief committees were exerting themselves to the utmost to execute the Act; but he had frequent communications, and these not from the worst parts of Ireland, representing the extreme difficulties they had to contend with; and the people were not only as the right hon. Gentleman (Mr. Labouchere) had stated, discontented with the particular relief provided by the Act, but the applications were so numerous, so almost universal among the labouring and poorer classes for relief of some sort, to which they now considered they were entitled by law, that you must either give to them all indiscriminately, or (as members of the relief committees wrote to him) have, in each union, on an average, about 25,000 cases weekly to investigate. How, under these circumstances, the Act was to be administered, he was unable to conjecture. The hon. Gentleman (Mr. P. Scrope) had disclaimed that night any intention to use his position as a Member of that House for the purpose of maligning the resident landlords and gentry of Ireland; but the hon. Gentleman must permit him, on behalf of that body, to say that the hon. Gentleman was in the constant habit of abusing his privilege as a Member of that House, by applying language there to the resident gentry of Ireland which he would not venture to do out of that House.

Mr. B. OSBORNE thought the hon. and learned Member for the University of Dublin might have let the charge pass in silence. The hon. Member for the University ought to have taken into consideration that this sort of attack was excessively popular just now with some constituencies; and that if the hon. Member for Stroud found his popularity on the wane, he was not to be blamed if he joined in the cry of "mad dog" against people whom he knew very little about. He quite agreed in the remarks which had been made concerning the ability and exertions of Sir J. Burgoyne; but he believed that his (Mr. Osborne's) anticipations were about to be realized, and that the Act would prove a failure. He had that very morning received a letter from one of the poor-law guardians of Clonmel, which showed that it had broken down, and stated that the poor people were assembled for twelve hours to receive relief, and that all did not get tickets, though they stood for that time

under a pouring torrent of rain. He thought if the hon. Member for Stroud would volunteer a journey into Ireland, and act as a member of a committee at a soup-kitchen, he would hesitate when he came back how he gave his opinions as to the difficulties of working the measure, or carrying the law into effect.

Sir J. WALSH wished to ask the hon. Member for Stroud before the debate came on, if, when he had brought forward such charges against the character of Lord Berehaven, he had taken the precaution of giving notice to the noble Lord, in order that he might meet them?

Mr. P. SCROPE said, he had not done so. The general charge had been made before, and no names were given. When general charges were made it was said, "Oh, that is unfair to make such vague accusations;" and when names were given it was said, "You should not mention names." He had, however, given the noble Lord an opportunity of rebutting those charges; and he (Mr. Scrope) was happy he had done so, by stating them in the fairest way he could to the House and the public.

Mr. STAFFORD O'BRIEN observed, that the hon. Gentleman seemed to think, whatever charge he brought forward, if he named the individual, he was fully justified. The state of the case in the county of Clare was this: that the relief committee opened their soup-kitchens, made out lists, and began to administer relief; but the people rushed upon the soup-kitchens and broke the boilers; whoever was to blame for this, it was certainly not the committee. He (Mr. O'Brien) could confirm what had been stated by the right hon. the Secretary for Ireland, that there did exist a repugnance in the one system for the other. If the hon. Gentleman (Mr. Scrope) thought that the system of unproductive works should go on, let him say so at once; but if the hon. Gentleman objected to the continuance of that system, and at the same time blamed the relief committees when they were unable to administer relief because the boilers were broken, he put it to the hon. Gentleman if that was fair? He wished the hon. Member would turn his attention to the subject practically, instead of theoretically; that he would go over to Ireland and see the working of the system; or, what would be better, purchase an estate in Ireland, and then he would be better able to speak upon it.

DELEGATED AUTHORITY.

Mr. FERRAND rose to put the following questions:—By what authority Parliament is invested with the right to delegate to any person, or body of persons, the power of making rules and orders which shall be as binding and authoritative upon the people of England and Wales as an Act of Parliament? If Parliament is not thus authorized, by what statute can the people of England and Wales be forced to obey as law the rules and orders of the Poor Law Commissioners? If there be no statute, have not all persons committed to prison for disobeying the rules and orders of the Poor Law Commissioners been illegally deprived of their liberty?

The ATTORNEY GENERAL said, he would answer the hon. Gentleman as briefly as possible. With respect to the first question, he apprehended that Parliament had an inherent authority to delegate to any person or body of persons the right of making rules and orders which should be as binding on the people of England as an Act of Parliament. All the rules of the Courts of Law were founded on this principle; and the Parliament having given to the Judges the power to make those rules, they had, in consequence, all the force and effect of statutes. All the schemes of the Ecclesiastical Commissioners were founded in a similar way; and by the powers of the House the Commissioners could issue their scheme, as it was called, which should have the force of an Act of Parliament. If it were necessary, he could give numerous examples of a similar kind; but he conceived that these were quite enough to show that Parliament had such power. With respect to the second question, his answer was, that Parliament was thus authorized; and that the people of England could be forced to obey the rules and orders of the Poor Law Commissioners by the statute which expressly gives them that power. His answer to the third question was, that because there was that statute, no person committed to prison for disobeying those rules and orders had been illegally deprived of liberty.

DISMISSAL OF MR. MOTT.

Mr. FERRAND put the following questions to the Secretary of State for the Home Department:—"Whether the appointment of Mr. Mott to the office of district auditor received the sanction of the Poor Law Commissioners after he had been dismissed from the office of assistant

poor-law commissioner? Whether the Poor Law Commissioners allowed him to hold the office of district auditor at the time that he was part proprietor of the Haydock Lodge Lunatic Asylum, or after the Commissioners in Lunacy declared, in their report on the state of the Haydock Lodge Lunatic Asylum, that Mr. Mott had failed to fulfil a positive and solemn pledge which he had given to the justices of Lancashire; and that he appeared quite unworthy of the trust, and became most negligent and remiss in the discharge of his functions? Whether they have allowed him to hold the office of district auditor of Lancashire, whilst living in the Isle of Man, out of the way of his creditors; after he was seized by a sheriff's officer, when on his road to audit the union accounts; during the time he was a prisoner in Lancaster Castle; and after a public advertisment appeared in *The Times* newspaper warning the public not to pay him money belonging to the proprietors of the Haydock Lodge Lunatic Asylum? Whether he has again abandoned the discharge of his duties, and left England, although holding the office of district auditor?"

SIR G. GREY: I shall answer the hon. Gentleman in the order of his questions. With respect to the first question, I may premise, that though the matter occurred before I held the office I now occupy, I have been informed that it was not the fact that Mr. Mott was dismissed from the office of assistant poor-law commissioner; but that he ceased to hold that office in consequence of the reduction of the number of assistant commissioners. With regard to Mr. Mott's election as district auditor, the circumstances are explained in the following extract from a letter addressed to the Under Secretary of State (Sir W. Somerville) by the Poor Law Commissioners, in consequence of a communication sent from the Home Office immediately after the discussion which took place in this House on the subject at the end of last Session:—

"By the 32nd section of 7 and 8 Victoria, c. 101, the district auditors are to be elected by the chairmen and vice-chairmen of the different unions comprised in the district. No disqualification which would attach to Mr. Mott is laid down in the Act. The circumstances of Mr. Mott's election were as follows:—On the 4th of September, 1845, Mr. Twisleton, then the assistant commissioner of the district, issued an advertisement inviting condidates for the auditorship to transmit their names to him. Thirty-seven persons announced themselves as candidates; a printed list of whom, in alphabetical order, with the profession, age, and residence of each, was forwarded to each of the electors. Mr. Mott's name appeared in this list as 'late Assistant Poor Law Commissioner, now Superintendent of Haydock Lodge Asylum.' The position of Mr. Mott was therefore made known to the electors. From the 37 candidates, two were selected as having received the largest number of votes. These were Mr. Gardiner, Clerk of the Manchester Union, and Mr. Mott. According to the provisions of the order of the Commissioners, these two names were again forwarded to the chairmen and vice-chairmen of the several boards of guardians, when the numbers were—for Mr. Gardiner, 10; for Mr. Mott, 14. Mr. Mott, therefore, being legally qualified, was elected, with a full knowledge of all the circumstances, by the majority of the chairman and vice-chairmen of the following unions, which constitute the district, viz. Altrincham, Ashton-under-Line, Bolton, Bury, Chapel-en-le-Frith, Chorlton, Congleton, Glossop, Haslingden, Hayfield, Leigh, Macclesfield, Manchester, Rochdale, Salford, and Stockport. The Act of Parliament does not require, in express terms, any sanction of the Poor Law Commissioners; and with regard to the auditor, as well as other officers, their power of sanction is a consequence only of their power of dismissal for unfitness. The Commissioners did not refuse to sanction Mr. Mott's appointment. It did not appear to them that the fact of his being superintendent of Haydock Lodge Asylum constituted such an 'unfitness' as was contemplated by the statute as the ground of dismissal, and consequent disqualification for office; and unless they took this view and were prepared ultimately to act upon it, they could not venture to set aside the decision arrived at by the electors under the statute."

With respect to the second question, I can only state that the report to which the hon. Gentleman refers is not quite correctly quoted in his question; but substantially that report does aver, that Mr. Mott had proved himself unworthy of the trust reposed in him at Haydock Lodge Lunatic Asylum; but the Commissioners did not think that his conduct constituted such unfitness in terms of the statute as to justify them in dismissing him from the office of auditor, to which he had been elected by the chairman and vice-chairman of the union, so long as the duties of it were regularly discharged. With regard to the third question, I am informed that the Commissioners have received no official or authentic information of the allegations of the hon. Gentleman respecting the conduct of Mr. Mott, and they have no reason to suppose that he is not discharging the duties of his office as auditor with propriety. With respect to the fourth question, as to whether Mr. Mott has again abandoned the discharge of his duties and left England, I have to state that the Poor Law Commissioners have within the last week or ten days received an official letter from

him, dated "Manchester, the 7th of May," connected with the discharge of his duty as auditor, and that they believe him to be there now.

POOR LAW ADMINISTRATION BILL.

Order of the Day read. Motion made for the Second Reading of the Poor Law Administration Bill.

Mr. FERRAND rose, pursuant to notice, to move that the Bill be read a second time that day six months. The hon. Member said: I have to thank the hon. and learned Gentleman (the Attorney General) for the manly and straightforward manner in which he replied to my question; but, however high an opinion I may have of the hon. and learned Gentleman's legal attainments, I believe I shall be able to bring before the House far higher legal authorities than his to bear out the positions I intend to take. I must say I was never more astonished in my life than to hear the right hon. Gentleman the Secretary of State for the Home Department say, that Mr. Mott was not dismissed from his office of assistant poor-law commissioner. Why, Sir, when the right hon. Gentleman the late Secretary of State for the Home Department was defending himself against certain statements which I made, he asserted that Mr. Mott was dismissed from his office, and that the hon. and learned Member for Bolton (Dr. Bowring) knew the reason why. I leave the two right hon. Gentlemen to settle the question between them. All I know is, that somebody has stated that which is not true. It is not for me to decide which of them it is. I may only say that I have no doubt the right hon. Gentleman (Sir G. Grey) fully believes the statement he has made to be true; and, therefore, I find no fault with him for making it. I now proceed to the question of the Poor Law; and here let me remind the House, that at the end of last Session of Parliament the right hon. Gentleman the Secretary of State for the Home Department gave a distinct pledge to the House and the country, that when Parliament should again meet, a Committee should be appointed for the purpose of inquiring into the whole proceedings and conduct of the Poor Law Commissioners. [Sir G. Grey: No.] Most distinctly did the right hon. Gentleman make this statement to the House at the time when the Andover Union report was laid on the Table, and in reply to a question from me. [Sir G. Grey: The hon. Gentleman is mistaken.] If the right hon. Gentleman denies that this is the case, of course I must believe him. I can only say that he was reported to have said so in all the public papers, and that remarks and comments were made upon it at the time. But in the present Session the noble Lord the First Lord of the Treasury, with that boldness of spirit for which he is conspicuous, has declared that he is prepared to justify the conduct of the Poor Law Commissioners, and is, I understand, to defend the New Poor Law itself. If that is the case, he has an opportunity of doing so to-night. I do trust that he will not shrink from the duty which he has undertaken to perform, and that he will do his best both to justify the conduct of the Poor Law Commissioners, and to prove that the New Poor Law has yielded all the advantages which its promoters promised should flow from it, and bear a blessing instead of a curse to the country. I suspect the noble Lord will find it a difficult task to establish either of those points, for I think I am myself prepared to prove to-night that this law has failed to perform what its promoters promised—that, in fact, it has been a total failure, and that, so far from their having been able to carry it into effect, it has crumbled to pieces. The people of this country have long boasted that they were never called upon to obey any law except those passed by the three estates of the realm. But for thirteen years the poor and undefended masses of the country have been subject to the rule of three irresponsible men, who have had the power to make laws and enforce them where and as they thought proper, without being subject to any control either by Parliament or by Government. And after they have been acting in this manner for thirteen years, a Committee of this House having sat for four months inquiring into their conduct reported that towards the assistant commissioners they had acted with cruel injustice, and that their proceedings were unjust, arbitrary, and such as to shake public confidence in the law. If that was their conduct towards men who had friends in this House to defend them with talent and ability, how have they acted towards the poor and undefended in the secret corners of the land? To-night it is my intention to inform the House on this point, and in doing so I hope to be able to induce the House to believe that it is high time to repeal this law, as well as to dismiss the Poor Law Commissioners. I shall first bring under the notice of the

House what were the intentions of the original concocters of this law; next, what have been the results of its operation; thirdly, I shall notice the remedy now proposed; I shall then show that Parliament has no power to pass such a law; and, lastly, that the poor have a sacred, legal, and inalienable right to relief. When the New Poor Law was first broached, it was supported by men who were determined to annihilate all Poor Laws in this country, to reduce the wages in the manufacturing districts, and to punish poverty as a crime. The noble Lord who first volunteered his services to bring this measure before Parliament was Lord Brougham; but before he did so he got a distinct pledge from the leaders of both political parties, that whoever should be in power no opposition should induce them to repeal the New Poor Law. And who was the person then consulted, and who guided the parties who drew up the Bill? It was a man whose name was odious throughout the country—I mean Mr. Malthus; and Mr. Malthus, who was Lord Brougham's guide, as well as guide to the Commissioners who drew up the dark document to which I shall presently further allude, thus expresses himself as to the right of the poor to relief:—

"A man who is born in a world already possessed, if he cannot get subsistence from his parents, on whom he has a just demand, and if the society do not want his labour, has no claim of right to the smallest portion of food, and in fact has no business to be where he is. At nature's mighty feast there is no vacant cover for him. She tells him to be gone, and will quickly execute her own orders if he do not work upon the compassion of some of her guests."

He also says—

"I have reflected much on the subject of the Poor Laws, and hope, therefore, that I shall be excused in venturing to suggest a mode of their gradual abolition, to which I confess that at present I can see no material objection. As a previous step even to any considerable alteration in the present system, which would contract or stop the increase of the relief to be given, it appears to me that we are bound, in justice and honour, formally to disclaim the right of the poor to support."

Now hear what Lord Brougham said of his friend Mr. Malthus when he in another place moved the second reading of the New Poor Law, and which speech he afterwards published—I know not whether at the expense of Government, but at somebody's expense—and circulated it throughout the country:—

"Before quitting the subject of population, may I step aside for one moment, and do justice to a most learned, a most able, a most virtuous individual, whose name has been mixed up with more unwitting deception, and also with more wilful misrepresentation, than that of any man of science in this Protestant country, and in these enlightened and liberal times? When I mention talent, learning, humanity, the strongest sense of public duty, the most amiable feelings in private life, the tenderest and most humane disposition which ever man was adorned with—when I speak of one, the ornament of the society in which he moves, the delight of his own family, and not less the admiration of those men of letters and of science amongst whem he shines the first and brightest—when I speak of one of the most enlightened, learned, and pious ministers whom the Church of England ever numbered amongst her sons, I am sure every one will apprehend that I cannot but refer to Mr. Malthus."

That was the way in which Lord Brougham had in another place alluded to Mr. Malthus, after having quoted him largely in defence of his opinion on the New Poor Law. Well, a Commission was appointed to inquire into the operation of the 43rd of Elizabeth throughout the country; and assistant commissioners were sent into various parts of England for the purpose of obtaining evidence. Of course, the evidence so obtained was all of the strongest kind against the old Poor Law. The Commissioners knew the wishes and intentions of Government, and acted like good and obedient servants; and upon the information derived from those Commissioners, and from the writings of Mr. Malthus, the Commissioners appointed in London to receive the evidence and report upon it to Government, drew up what has been called "the dark document"—a document which, although the First Lord of the Treasury may smile at what I say—I hesitate not to describe as so disgraceful, so scandalous, nay, so wicked in its suggestions, that the Government of the day in this House, and the Duke of Wellington in another place, thought it of sufficient consequence to deny its existence; and it was not until an hon. Friend of mine (Mr. Walter), who now lies, I regret to say, on a bed of sickness, but whose services will be remembered after the baronetcy of Hogg has ceased to exist—I say it was not until my hon. Friend produced that document in this House that the then Secretary of State for the Home Department (Sir J. Graham), who had previously denied its existence, said that he had some faint recollection of it. It is my duty to bring under the notice of the House what was suggested in that dark document. The first recommendation was—

"The Commissioners shall have power to reduce allowances, but not to enlarge them." After

some further suggestions:—"After this has been accomplished, orders may be sent forth, directing that, after such a date, all out-door relief should be given partly in kind; after such another period, it should be wholly in kind; after such another period, it should be gradually diminished in quantity until that mode of relief was exhausted. From the first relief should be altered in quality, coarse brown bread being substituted for white; and, concurrently with these measures as to the out-door poor, a gradual reduction should be made in the diet of the in-door poor, and strict regulations enforced."

I am shocked to say that this document had the signatures of two bishops, viz., the Bishop of London and the Bishop of Chester, as well as other persons high in authority. At last Lord Althorp introduced into this House the New Poor Law Bill, and he gave a distinct pledge to the House that some of the most cruel provisions which have since been enforced should never be enforced; that, in fact, they did not exist. Upon that occasion no fewer than 5,519,596 people petitioned against the Bill; but in spite of these petitions the Bill was carried. When the Bill was before the other House, Lord Brougham stated that the ultimate object was to abolish all Poor Laws; and Lord Fitzwilliam said he should vote for it with the conviction that it would lead to no Poor Law at all. I have now given to this House proofs that it was the intention of the original promoters of the Bill to abolish all Poor Laws; and, having done so, it is now my duty to bring before the notice of the House as disgraceful a scheme as was ever entered into by employers to rob the employed of their wages; I allude to a correspondence which took place between certain cotton spinners in Lancashire and Mr. Chadwick, one of the parties who was employed to prepare the Bill, and which correspondence took place in 1834 and 1835. But, lest the Government should attempt to explain away the correspondence, and say that the Poor Law Commissioners regretted after it had taken place the sale and transportation of large masses of the agricultural population who were sent down to the manufacturing districts, I think it my duty, before quoting the letters of Messrs. Ashworth and Greg, to read to the House an extract from a report by the Poor Law Commissioners themselves:—

"The Commissioners think it necessary to observe, that in case of a strike of workmen for higher wages than their employers are willing to give, a question arises whether the guardians would be justified in refusing or discontinuing relief when the men might obtain employment, if they chose to accept it, at wages sufficient to furnish the means of subsistence for themselves and their families. If, therefore, the guardians are in a situation to say that the men now applying for or receiving relief may obtain work within their reach at wages sufficient for their maintenance and that of their families, and it only depends upon themselves to accept it, they are justified in refusing relief to those persons, simply because they can no longer be considered destitute?"

That was the opinion of the Poor Law Commissioners, and Messrs. Ashworth and Greg wrote to them and suggested what I am about to read to the House:—

"The suggestion which I wish particularly to make is, that in the New (Poor Law Amendment) Bill, the greatest possible facility should be afforded to families of this description (agricultural labourers), who should be willing or desirous of removing from the agricultural counties, where work is scarce, to the manufacturing districts, where it is abundant. I am most anxious that every facility be given to the removal of labourers from one county to another according to the demand for labour; this would have a tendency to equalize wages, as well as prevent, in a degree, some of the turn-outs which have been of late so prevalent."

As soon as the New Poor Law was enacted, the Commissioners employed persons as assistant poor law commissioners, whom they sent into different agricultural districts for the purpose of inducing agricultural labourers to leave their homes under the most solemn pledges that they should have the highest wages which could be given in the manufacturing districts; and for the purpose of more easily inducing the poor ignorant men, women, and children, to believe the tales which they told them, they placarded the whole agricultural districts from which the people were removed with lists of wages which it was never intended they should receive, and which they never did receive. But one of the blackest stains on the New Poor Law is this—that Dr. Kaye was employed as an assistant poor-law commissioner in Suffolk and Norfolk for the purpose of inducing the agricultural labourers to go to Manchester and the manufacturing districts—that very Dr. Kaye having, within three years of that period, published a pamphlet, entitled "*The Moral and Physical Condition of the Working Classes employed in the Manufactures of Manchester*," in which he states what I will read to the House. Recollect, within three years after this Dr. Kaye had written his description of the working population of Manchester, he was employed in sending to that very town, to be absorbed in that population, the poor agricultural labourers of the south, who had been brought up in the green fields and

shady lanes, about which I was taunted with "babbling" by the late First Lord of the Treasury—sending them ticketted and labelled, like beasts for slaughter. I see that an hon. and learned Friend smiles at the idea of the poor people being ticketed like beasts for slaughter, and therefore I feel it to be my duty to tell him that they were so ticketed; the tickets were tied to them, and they were embarked in boats, and sent hundreds of miles from home without a person to guide and direct them whither to go, and they were turned adrift in the streets of Manchester at dead of night. The police reports of that town frequently afterwards gave harrowing accounts of the sufferings of these poor agricultural labourers. The House shall now hear the description which Dr. Kaye had given of the working population of Manchester three years previous to the period to which I am referring:

"Interested in the fatal secret of subsisting on what is barely necessary to life, the labouring classes (of Manchester) have ceased to entertain a laudable pride in furnishing their houses, and in multiplying the decent comforts which minister to happiness. He neglects the comforts and delicacies of life. He lives in squalid wretchedness, on meagre food, and expends his superfluous gains in debauchery. Domestic economy is neglected, domestic comforts are unknown. A meal of the coarsest food is prepared with heedless haste, and devoured with equal precipitation. His house is ill furnished, uncleanly, often ill ventilated, perhaps damp. His food, from want of forethought and domestic economy, is meagre and unnutritious. He is debilitated and hypochondriacal, and falls the victim of dissipation."

That was Dr. Kaye's account of Manchester, published three years before he was employed as a Poor Law Commissioner, in sending thousands of ignorant labourers to that very district to be "absorbed," as the master manufacturers in their correspondence with the Poor Law Commissioners termed it, in the manufacturing population there, and by that means to cause a reduction in the amount of wages which they were in the habit of paying to their workpeople. Tens of thousands of poor labourers were despatched from the agricultural districts to Manchester, and there I will leave them for the present. It will now be my duty to refer to the cruelty inflicted on the agricultural poor of the south of England, where the Poor Law Commissioners endeavoured to enforce a law which set at defiance the laws of both God and man. In the first instance the law was put in force at the point of the bayonet. Not content with calling on the military for aid, you despatched the metropolitan police to various parts of the country, and armed with cutlasses they assisted in enforcing the law. You attempted uniformity of practice wherever you could. You produced an in-door labour test, and you refused out-door relief. You sold up thousands and tens of thousands of the poor of England. When the poor went to the boards of guardians and asked for that to which they had a right as sacred as the Monarch has to her Crown, the Peer to his palace, or any Member of this House to the coat which he wears upon his back, what cruelty did you not inflict upon them? You erected immense buildings, which are justly termed "bastilles," the windows of which are placed at such a height from the floors that it is impossible for the inmates to look through them. You immured them in cells, and did not allow them to leave their prisons even to go to a place of public worship on Sunday. Their diet table was worse than that of felons by far; it was drawn up by Mr. Mott, a person who had made a large fortune by farming the poor of several workhouses in London. You compelled them to wear a felon's dress; but not content with that, you branded the dress with the name of the workhouse in which the poor were confined, on the back, on the breast, on the knees, and on the caps. Whenever they left the workhouses they went in those dresses in order that the finger of scorn might be pointed at them; but, instead of that, the spectacle only roused feelings of indignation in the breasts of the English people. You broke up households and you scattered families; you separated husband from wife, and you took children—you stole them—from their parents, and sent them thirty or forty miles in another direction; and when they happened to die, the parents were not informed of the loss which they had sustained. Harrowing details have occasionally been given to the public by the press of the agony which the poor have suffered on unexpectedly learning that some dear relative had expired in a union workhouse, perhaps years before. Ay, and after treating the unhappy poor in this manner, you have cleared the union workhouses of them and sold them to taskmasters. I have brought several cases of the kind before the House; and I now hold in my hand a application made by a manufacturer to an union workhouse for men, women, and children. It is most revolting to the feel-

ings of human nature that our poor and unprotected fellow-subjects in this country should be sold like beasts, used up and worked to death in factories. The letter to which I refer is from Messrs. W. J. Walmsley and Brothers, of Marples, near Stockport—for I will give authority for all I state—and is dated the 3rd of March, 1846. The letter which is addressed to the master of the union workhouse at Llanfyllin, Montgomeryshire, is couched in the following terms :—

"It is probable there may be in your union, as we have found there are in others, parties chargeable and not chargeable, who might better themselves by removal to the manufacturing districts. We can find employment in our cotton mill here for ten or twenty females from thirteen to eighteen, and a few boys turned thirteen years of age. The average weekly wages of females is from 7*s.* to 13*s.*, and boys from 5*s.* to 9*s.* 6*d.*; but when the boys become spinners they may earn from 32*s.* to 38*s.* per week, or even more, the work being paid for by the piece. If you can recommend any such parties, we should be glad if you would favour us with a line, stating their names and ages by return, when one of our firm will come over. We shall take charge of any children coming without parents."

The House will observe, that it was arranged that "one of the firm" should go over to the workhouse in order to examine the unfortunate inmates, and ascertain whether they were sound in wind and limb; and if they proved so they were then to be handed over to their taskmasters. These things are done under the sanction of the Poor Law Commissioners; year after year such transactions have taken place, and you, the Government, know it and have suffered it. Who, I ask, are the persons whom you have appointed as masters of union workhouses to tyrannize over and persecute the poor? Whenever you can obtain a man who has been in the Army —a discharged soldier—if you can only get an ex-sergeant of dragoons, artillery, or engineers, he is sure to be preferred by the Poor Law Commissioners. Those are the men who have been appointed to oppress, to persecute, ay, and to murder, the poor. I use that word advisedly; for since the law has been in force, many juries have unanimously declared, that persons confined in the union workhouses have died from ill treatment and want of food. Now, in the next place, I ask you, how have you proceeded to carry your law into force out of the union workhouses? The unions are themselves so large, that the poor find it almost impossible to travel to the boards of guardians. Ten, twenty, and thirty miles have the poor to travel for a pittance of sixpence or a shilling, and in some instances they spend three days in going and returning. I hold in my hand a letter written by a clergyman in Yorkshire, giving a description of the hardship and inconvenience to which the poor are subjected in consequence of the large size of the unions in that county, and mentioning the case of a poor man who was obliged to travel twenty-four miles to seek relief from the board of guardians of the Skipton Union. I once saw a man who had travelled twenty-four miles to plead his cause before a board of guardians; he was between seventy and eighty years of age, and the guardians dismissed him with 6*d.* What has been your medical treatment of the poor? You remember the evidence given before the Committee appointed to inquire into the medical treatment of the poor, of which Lord Ashley was chairman. Some of the most eminent medical men in London were examined before that Committee, and they proved that the Poor Law Commissioners would sanction no higher scale of payment to medical officers than 3*d.* or 4*d.* per case. The consequence has been, that the poor have died for want of proper medical treatment. I have now given a sketch of the way in which it has been attempted to enforce the blood-stained law; for recollect that, at Bradford, the military cut down the people when an attempt was made to put the law in operation. I say, therefore, that blood has been shed in the attempt to enforce a law which you yourselves now declare to be an utter failure. Before I proceed to show what has been the effect of the New Poor Law upon the people, I think it my duty to read to the House the solemn pledges which were given by Lord Brougham at the time when he pleaded for the second reading of the Bill. His Lordship addressed the following language to the House of Peers :—

"I say, my Lords, you not only may but you must listen to these recommendations, when you have the best judges in matters of opinion, and the best witnesses to the matter of fact, all in one voice representing to you a state of things which has made industry and idleness, honesty and knavery, change places; and which exposes the property of the community—and with its property, every law, every institution, every valuable possession, every precious right—to the ravages of that remorseless pestilence before whose strides you, the guardians of the social happiness of those who live under your protection, have beheld the peasantry of England abased to a depth which I am at once afflicted and ashamed to contemplate, which I shudder to describe, and which I could not bear to think of, did I not know that the

same hand which lays it bare to your eyes, and makes its naked deformity horrible in your sight, will be enabled, by your assistance, to apply to the foul disease a safe and effectual remedy — restoring to industry its due reward, and visiting idleness with its appropriate punishment—reinstating property in security, and lifting up once more, God be praised! the character of that noble English peasantry to the proud eminence where, but for the Poor Laws, it would still have shone untarnished—the admiration of mankind and the glory of the country which boasts it as its brightest ornament!"

I will presently show how the New Poor Law has elevated the character of the working men, how it has restored prosperity to them, and how it has destroyed idleness and vice. If the pledges given by Lord Brougham upon that occasion have not been fulfilled, then I say that for thirteen years you have in vain oppressed, persecuted, and plundered the poor, and that the new law has been a greater failure than it can be pretended the 43rd of Elizabeth ever was. If you, the Government, are prepared to take on yourselves the responsibility which attaches to the Poor Law Commissioners—if you are prepared to do that, you are braver men than I gave you credit for being; and I think that before I have done, I shall be able to satisfy the House that, as the Poor Law Commissioners have failed, so will the four Cabinet Ministers fail to administer the law in a manner to satisfy the country. Before I proceed further, however, let me refer to the sufferings of the poor "emigrants," as they are called, who were taken from the agricultural districts and carried to Manchester and Yorkshire in 1835, 1836, and 1837. They were promised in the most sacred manner that they should have good wages, plenty of food, and comfortable homes; but what was their condition in 1840 and 1841? Why, I heard from the lips of the then and present Member for Manchester, that the poor workpeople of that town were then in such a frightful state of distress that they were living on 1*d.* a day, and that some even had no food whatever; that they were digging up the carcases of horses which had been buried, and devouring the flesh. The hon. Member for Bolton also told tales of the distress in that town, which so shocked the feelings of the House that the Poor Law Commissioners attempted to deny them on the authority of a report drawn up Mr. Mott. That report, however, turned out to be so false that the Poor Law Commissioners, acting under the authority of the then Secretary of State for the Home Department, were obliged to dismiss Mr. Mott for having drawn it up. I thought it my duty to move for a return of the poor agricultural labourers who had been sent into the north of England under the solemn pledges that they should be sent back to their homes whenever they expressed a wish to return. What was the return made to my Motion? The poor-law authorities were unable to account for a single soul of those whom they had kidnapped and sold into the manufacturing districts. Let us now see what has been the effect on the comforts, morals, and habits of the people of this law, which Lord Brougham pledged himself should raise them in the social condition and restore them to comfort and respectability. On this point I shall quote from a Cabinet Minister, a Member of the present Government and a staunch supporter of the new Poor Law. I allude to Earl Grey, then Lord Howick, who, in March, 1846, spoke in these terms of the condition of the working people of Sunderland:—

"The borough of Sunderland consisted of three parishes, Sunderland, Bishopwearmouth, and Monkwearmouth. The first of these parishes was chiefly inhabited by the working classes, and the rates on the last six months had been 18*s.* in the pound. . . It was frightful to contemplate this state of things. In 1837, the amount expended in relief was only 7,035*l.*; in 1842 it amounted to 14,232*l.* In addition, a sum of 2,192*l.*, and also from 800 to 1,000 tons of coals, were subscribed and appropriated to the relief of the poor. In illustration of the actual state of the country he would refer to a return of casual poor relieved at Alnwick in different years, from which it appeared that, not to go further back than the year 1841, itself a year of great pressure, there were relieved 1,826 casual poor; in the year just closed there were relieved 3,653 casual poor. Having then taken one great town and one agricultural district, he thought, from what he had stated of them, that he was justified in concluding, that the distress which the expression used in Her Majesty's Speech would lead one to conclude was confined to the manufacturing districts, was, in reality, a wide-spread distress. . . When such a falling-off in the revenue took place, caused, as it could only be, by the forced economy that was the offspring of distress, they might judge what the amount of that distress must be. In every class of life forced economy was painful. . . What must it be to the working man when he was compelled to surrender his few luxuries one after another—to give up his tobacco, his sugar, and his tea or coffee—when he was no longer able even to afford his family bread, for at length bread became a luxury which he could no longer afford, and a coarser kind must be substituted? But, above all, what must it be to him to watch his wife and children gradually falling into rags, and pining in wretchedness and despair? But worst of all were the corroding anxieties that beset him as he saw week

after week and day after day passing on, and things getting worse and worse, whilst starvation appeared to be staring him in the face! It was such a state as this that many among the working classes had to endure, who, a little time ago, were well paid, well fed, and well clad. It was the case of many of those, who, but a little time ago, earned more than enough to support themselves and their families."

I must also read to the House a statement made by Lord Brougham in 1843 :—

"He entirely concurred in the respect and admiration expressed by his noble Friend the President of the Board of Trade, as well as his noble Friend opposite (Earl Stanhope), of the peaceful and patient conduct of the working classes under the grievous infliction they had lately endured; but he could see no way, unhappily—if he did, his misery would be less—if he or any one else could see a way out of those difficulties which would restore the working classes to their former state of comfort."

Why, we were told that this new Poor Law would work the regeneration of the people of this country; yet, here is the author of that measure, after it had been nine years in operation, admitting that he can see no way of relieving the poor from their distress. Sir, to show the regular operation of the law, I will now read an extract from *The Times* of the 18th of February, 1843 :—

"The distress at Stourbridge is stated to have become so alarming that numbers are subsisting on turnips alone. From a field belonging to Mr. Thomas Parginter, as many as from five to six tons a week have been taken for several weeks past; nor does he think it expedient to attempt to put a stop to the peculation."—*Worcester Journal.*

Here was a case where the poor were in such a starving state that they stole at the rate of five or six tons of turnips per week, and the owner was so struck with their sufferings that he never thought fit to stop them. That is one instance of the state of the poor under this law in the year 1843. I will also refer to the proceedings at the Brentford petty sessions in the same year, where several magistrates were present, and where two men were brought before them in their prison dress, and branded in the manner I have already described. All the magistrates present spoke in indignation of the manner in which the poor were treated by the Poor Law Commissioners; and one of them, Mr. Armstrong, observed that, "it seemed as if the country were returning to a state of feudal tyranny. He was glad to see that the Bench were unanimous in deprecating such proceedings." I hold also in my hand extracts from the different county newspapers in 1842 and 1843, giving accounts of the manner in which numbers of poor men had been sent to gaols in different parts of the country, for only disobeying the orders of the Poor Law Commissioners. I will not weary the House by reading them all; they are from the county papers of Sussex, Hampshire, Essex, Kent, and Surrey. Yet at the very time these things were occurring, the late Government always maintained that the law worked well. They were always ready to screen the Poor Law Commissioners against public inquiry and indignation; and the present Government, when in opposition, were always ready to support them. Whenever the Commissioners appeared to be hard pressed, the noble Lord now at the head of the Government always with great chivalry rose and defended them; and when the right hon. Baronet the late Secretary for the Home Department (Sir J. Graham), was beginning to be rather squeezable on the subject—when he seemed disposed to make some alterations in the working of the law for the purpose of conciliating public opinion, the noble Lord (Lord J. Russell) was always ready to get up and protest against any relaxation, and to call for uniformity of practice. And the noble Lord was always sure to be cheered by his Whig friends when he did so. Why, I myself, Sir, have seen the bodies of persons who were starved to death under this law. I have attended inquests where juries have wished to return verdicts of wilful murder against the relieving officer, and the coroner approved of their doing so; but the relieving officer has drawn out of his pocket instructions of the Poor Law Commissioners, and snapped his fingers at the coroner, who, on perusing those instructions, told the jury he had been justified in acting as he had done. Well, Sir, I come to the year 1844, when the Poor Law Commissioners came and asked for further powers, more tyrannical and illegal than those which they had enjoyed before. You passed a law appointing auditors. What was their conduct? Every post brings me letters detailing the arbitrary conduct of these auditors; and I cannot do better than mention to the House one case, where a correspondence has passed between the Commissioners and the guardians of the Dudley Union, the auditors having commenced an action against the guardians for having treated the poor to beef and pudding at Christmas. I have moved for returns relating to the proceedings of these auditors, and I think the House will agree with me

that such proceedings as this I have referred to are disgraceful. Yet the law which allows them is upheld. I now come to the year 1845. In that year the hon. Member for Finsbury came down to the House and made the appalling statement, that the poor in the Andover Union were so starved that they were living on carrion, and were fighting for the putrid bones they were employed to grind. And now, in 1847, where are the Poor Law Commissioners? where are the men who have been guilty of these acts? You say that they are to be dismissed from their offices, but you are still prepared to defend them and to justify their conduct. Why are you so prepared to defend them? Do you think them innocent? Can you deny one statement I have made against them? Can you suppose that the public indignation would have been roused against them from one end of the country to the other, unless they were guilty of the offences laid to their charge? But it seems that not only are you going to get rid of your Commissioners, but also of your uniformity of practice. The right hon. Baronet the Secretary for the Home Department has told us the operation of the Bill must vary with the different circumstances of different parts of the country. But do you expect the feelings of the masses in the country to vary with the varying circumstances of the law, the operation of which you thus propose to alter? Do you expect that in one part of the country there shall be no natural affection between parent and offspring, or between husband and wife? Are you to have one law in the south, where you expect the people will submit, and another in the north, where perhaps you are afraid that the people will rise and resist your tyranny—your attempts to separate husband and wife, and to tear parents and their children from each other? Why not define the law at once, and let the people know what you mean? Let us know exactly what is to be the difference between the old law and the new one? Let the poor know at once what cruelties are to be practised on them by authority of this House, in place of those heretofore adopted by an irresponsible body of men. Sir, I have read the "defence" of these Commissioners, filled with extracts from the evidence before the Andover Union Committee. It is not a defence—it is an *ex-parte* statement; but what, after all, is their boast? Why, that they have saved 1,000,000*l.* a year. But how many of the poor have been robbed in order to save that 1,000,000*l.* a year? How many have been robbed of their just legal rights in order to enable the Commissioners to make that boast? They may have saved the rates in the south, where incendiarism still blazes in the rickyards; or in the agricultural districts, where they sold the people to the manufacturers to bring down wages; or where they have driven them into gaols to escape from their persecution. But they have not saved them in the north of England, as this petition will show:—

"Wakefield Union.—The following is the copy of the Petition sent to the Poor Law Commissioners from the Guardians of this Union:—

"To the Poor Law Commissioners, Somerset House, London.

"In pursuance of a resolution passed unanimously (one member excepted) at the Wakefield board of guardians, on Wednesday, the 22nd inst., 'That the working of the New Poor Law, in the Wakefield Union, is fraught with great evil, and that it is desirable the said union should be dissolved.'

"We, therefore, whose names are hereunder subscribed, being guardians of the Wakefield Union, beg leave most respectfully to call the attention of the Poor Law Commissioners to the alarming increase in the amount of poor rates collected in the several townships within the said union, for the three years ending last March, as compared with the three years previous to the commencement of the union, to wit, a total increase of rate of 10,306*l.*

"Fully convinced, from the above circumstances, not only that the New Poor Law in this neighbourhood is a perfect failure, but also that the ratepayers are fast verging to pauperism, without adding one extra comfort to the poor, we cannot do otherwise than listen to the imperative dictates of our own consciences, and pray most earnestly that the Poor Law Commissioners will be pleased to dissolve this union, and allow each township to have the management of its own poor."—*Wakefield Journal*, Aug. 25, 1843.

I have also accounts of the expenditure in different districts of my part of the country, all which show that it is still increasing. Now what is the price you have had to pay for the enforcement of this unconstitutional law for fourteen years? You have had a rebellion in Wales; an outbreak in the north of England; incendiarism still rife in the south; a frightful and increasing system of child murder; coroners' juries charging the Poor Law Commissioners with destroying the poor; increase of rural police; 10,000 armed pensioners called out; gaols enlarged and new ones erected; sessions every six weeks instead of every twelve weeks; winter assizes; the statement of Judge Coleridge, that crime is rapidly increasing all over the country; central barracks erected at

Birmingham; a discontented people; peace only maintained by the military; and poverty and distress greater than ever before known in England. These are a few items of the price you have paid for the enforcement of your law. And how long do you suppose the country will submit to this state of things? You may suppose that you are going, to use a common phrase, to let the Poor Law and the Commissioners down easily; but do you suppose that the people of this country are not awake enough to make this a great question at the next general election? It is true that the Whigs have stood firm to their declarations at the last election. But what was the conduct of the late Government and their supporters? How was the election for Cambridge carried? The New Poor Law was the rallying cry. It is disgraceful and degrading that persons should have wrought up to the highest pitch of indignation the feelings of electors and non-electors, only that they might come here and betray them. I could name a borough where the two candidates took it by turns to do the pathetic on the New Poor Law. One of them was returned to this House, and he certainly has given a little opposition to the Poor Law; but the other has since got a seat for another place, and he has actually voted for the very measure which I myself had heard him denounce as blasphemous. Having now stated these faults of the system, I leave them, with a challenge to you to deny them if you can. If you cannot deny them, then you admit the system to be a complete failure. It has not only been that, but also a bitter curse to the country. And now what is your remedy? Why, you propose to re-establish the same cruel and unconstitutional system under another form. You give all the powers of the Commission to four Cabinet Ministers empowered to maintain the law against all opposition. Is the right hon. Baronet going to sanction the same system of tyranny that was carried on under the Commissioners? Is he going to tear parent from child—husband from wife? Is he going still to transport the natives of the agricultural districts to the manufacturing districts? What right would he have to do so? The poor man's right to relief is as sacred as the right hon. Baronet's to any property he possesses. Is he prepared to have the provisions of this law tried on those who are near and dear to himself? If not, what right has he to inflict on the poor man that which he would not bear himself? I can tell him that the poor man loves his wife as well as he loves his; and degraded must that Cabinet Minister be who would enforce the law against the poor man, for no other reason than that he is poor and is unable to procure protection. By Clause 20, it appears, Her Majesty may, if she pleases, by the advice of Her Privy Council, disavow the acts of the Board; but as those who would have to advise her would constitute the Board, it is not likely they would give her such advice. I have now given a brief sketch of the powers which the Government propose to take under this Bill; and from this tyranny to what tribunal are the poor to appeal? To the Government? Why, they will be their oppressors. To this House? Why, the Government of the day must have a majority behind its back in this House. To whom, then, are the poor to appeal against the tyranny and oppression of four Cabinet Ministers? You will say they may petition the Sovereign. But their petition must pass through the hands of the Home Secretary, whose conduct they are complaining of. I do not say the right hon. Gentleman opposite me would do it, but we know that the last Home Secretary kept back a memorial addressed to Her Majesty. I will tell you what the poor man may appeal to—he may appeal to the common law of England and to the British constitution. And although the hon. and learned Gentleman the Attorney General has given ready answers to the questions I have put, and which elicited frequent cries of "Hear, hear," from the noble Lord at the head of the Government, it will be my duty to prove to the House that this House of Commons, and that the Parliament of this country, have no power to pass this Bill, and that if it does pass, it is null and void. I ask the attention of the hon. and learned Gentleman (the Attorney General) while I give him my authorities, and I think he will admit that they are equal to his own. I will prove from the most eminent authorities that Parliament has no power to delegate the power of making laws. Locke says—

"The Legislature is empowered only to make laws, and not to make legislators."

Justice Blackstone says—

"Whenever the legislative and executive pow ers are found together, there is an end of public liberty."

You have both legislative and executive powers in the hands of the Poor Law Com-

missioners, and, according to Blackstone, there is therefore an end of public liberty. Lord Coke from the judgment seat declared—

"It appears in our books, that in many cases the common law will control Acts of Parliament, and sometimes adjudge them to be utterly void; for when an Act of Parliament is against common right and reason, or repugnant and impossible to be performed, the common law will control it, and adjudge it void."

It is clear that the New Poor Law is "against common right and reason." Magna Charta, the charter of our rights, asserts—

"We will not, by ourselves or others, procure anything whereby any of these concessions or liberties be revoked or lessened, and if any such thing be obtained, let it be null and void."

Lord Eldon declared, a short time before he died, to a friend of mine—

"It is an unconstitutional Bill, but it is sure to pass; for now-a-days they will pass anything. There is no authority to empower the Legislature to pass such a Bill, nor, when passed, any constitutional power to enforce it. If matters have indeed come to this, a national convention should be called."

Lord Eldon also said, when addressing a noble Friend—

"It is the most infamous law that ever was enacted in a Christian country. If the Parliament will not do its duty, the people must do theirs. Nothing can be done till the country is ready for it, which it soon will be."

I hold in my hand a statement made by Lord Wynford, late Lord Chief Justice of the Common Pleas, upon the second reading of the New Poor Law Bill in another place. Lord Wynford said—

"Never was there an instance in either ancient or modern times when such a power as this was given to any set of men. Blackstone himself contemplated with horror the power that was given to the King under the Mutiny Act. He thought it was unconstitutional that His Majesty should have the power of making laws, deciding upon laws, and rescinding laws; and yet the power which Blackstone thought unfit to be placed in the hands even of the King, was to be given to these Commissioners. They were even to have the power of delegating that power; and the only restraint by which they, or those delegated by them, would be subject, would be in making general regulations. Their general regulations would have to be submitted to the Secretary of State; but no control whatever was intended to be exercised over their other proceedings. He did not think that even the noble and learned Lord himself could defend delegating such enormous powers as these; but even if he should, then he must say that he was certainly too jealous about granting arbitrary power ever to permit it, except in a case of absolute necessity; but no such necessity has yet been made out. He had shown that it would not only affect property generally, but that it would enable the Commissioners to determine whether the unfortunate pauper should eat his miserable pittance in a state of liberty or of thraldom. Whilst in the workhouse, they could treat the pauper just as they pleased, and in them was to be vested the power to say, 'You shall have relief or you shall not.' He could not help saying that it was utterly impossible for him to contemplate those powers without alarm. They had abolished negro slavery; but if this Bill passed, he very much feared that a short time only would elapse until they saw the condition of the poor of this country infinitely worse than that of the serfs of the Continent, or the villains of former ages; worse even than that of the West Indies, to whom they had given their freedom."

That was the opinion of Lord Chief Justice Wynford. Lord Abinger, another Judge, and a high authority in this country, gave a similar opinion in the other House. Are these authorities not sufficient? The poor have been reduced to an abject state of misery and want; they can only obtain food on condition of being branded with a felon's dress. Why, Sir, the working population of this country to a man believe that no Parliament has the right to pass such a law as this; and they are backed by the high authorities I have read, and which will have great weight with the people of this country. I will venture to say that if a poor man, who had been imprisoned under the unconstitutional powers of this Bill, were to carry his case before the twelve Judges, they would declare, notwithstanding your Act of Parliament, that the man had been illegally imprisoned. Having given these high authorities, let the House listen to the opinions of a working man on this question, and then they will see that the working people of this country are thinking deeply upon the treatment they are receiving from the Government and from the Parliament of this country. I have received this letter within the last few days from a working man:—

"To leave Her Majesty's poor subjects in the hands of an irresponsible power, is but cruel mockery. It has been the boast of Great Britain that the home of the poor man was his castle—that it is held as sacred as the palace; such were the views of Lord Chatham in his day. He said, 'By the British constitution every man's house is his castle; it may be a straw-built shed; every wind of heaven may whistle round it—all the elements may enter it—but the King cannot, the King dare not.' And since his time it was the boast of His Royal Highness the Duke of Kent (our present Sovereign's father) that 'it is the glory of the British constitution that it protects the poor as well as the rich—the peasant as well as the prince; whoever has the temerity to injure either the person, property, or character of the meanest of His Majesty's subjects, must be prepared to grapple with the strength of the empire."

I tell Her Majesty's Government, that if they mean to bolster up the present Poor Law under another name, they too "must be prepared to grapple with the strength of the empire." The Poor Law deprived hon. Gentlemen opposite of office at the last election, and it will deprive them of office at the next general election. For, although they may try to blink this question, I tell them every man in the country is denouncing the conduct of the Poor Law Commissioners, and declaring that your New Poor Law is an utter and disgraceful failure. I have now shown to this House that you have no power to pass this Bill, and that if you pass it, it will be null and void. I will now show the House that the poor have a right to relief; and if they have a right to relief, I ask the Government, who will have to enforce this law, by what right they will refuse relief except upon the condition of these parties degrading themselves? Why, Sir, until you passed this New Poor Law, the poor were ready to shed their blood to defend their country. They are now compelled to sacrifice their liberty to save their lives. To prove that the poor have a right to relief, I will quote John Locke, who says—

"A man can no more make use of another's necessity to force him to become his vassal, by withholding that relief which God requires him to afford to the wants of his brother, than he that has more strength can seize upon a weaker, and with a dagger at his throat, offer him death or slavery. As justice gives every man a title to the product of his honest industry and the fair acquisition of his ancestors descended to him; so charity gives every man a title to so much of another's plenty as will keep him from extreme want, when he has no means to subsist otherwise."

You do "force" the poor man to "become "your vassal" when you refuse to admit him into a poor-law union except upon degrading conditions. Archdeacon Paley says —

"When the partition of property is rigidly maintained against the claims of indigence and distress, it is maintained in opposition to the intention of those who made it, and to His who is the supreme proprietor of every thing, and who has filled the world with plenteousness for the sustenance and comfort of all whom he sends into it."

I might quote Puffendorf, Grotius, and Coke, who all agree on this point; but hear what Blackstone asserts :—

"The law not only regards life and member and protects every man in the enjoyment of them, but also furnishes him with everything necessary for their support. For there is no man so indigent or wretched but he may demand a supply sufficient for all the necessaries of life from the more opulent of the community, by means of the several statutes enacted for the relief of the poor —a humane provision, dictated by the principles of society."

Judge Hale said, from the bench —

"The laws of this kingdom made sufficient provision for the supply of persons in necessity, by collections for the poor, and by the powers of the civil magistrates; and the Act of Elizabeth has reduced charity to a system, and interwoven it with our very constitution."

These are high authorities, both in the House and out of it, and they prove that the poor have a right to relief. I will finish my authorities by an extract from Lord Brougham, who himself admitted, in the other House, that the poor have a right to relief. On the second reading of the New Poor Law, Lord Brougham said —

"I grant that this was the original distribution of the tithe (one-third going to the fabric of the church, one-third to the parson, and one-third to the poor); and I also admit, that in much later times, as far down as the 15th of Richard II., this right of the poor was recognised by Parliament; for in that year an Act passed which in terms admitted the right of the poor to sustentation out of this fund. I admit, too, that still later, in the reign of Elizabeth, the judges of the land recognised the same right—and that other cases are to be found decidedly in favour of the principle—one of the judges of that day quaintly observing, that it is the business of the parson *pascere gregem verbo, exemplo, cibo.* Indeed your Lordships will find both the Courts and Parliaments, as late as the reign of George III., recognising the claims of the poor against the parson, grounded upon the same principle."

Now you have it here distinctly maintained, even by Lord Brougham, that the poor have a right to relief; and if so, you have no right to claim any act of vassalage from them, or deprive them of their liberty as the price of giving them relief when they have a right to demand it. I will now assert, that if you refuse the poor relief, they have a right to take it. Will the Government dispute that point? The right hon. Gentleman the Home Secretary is silent. Am I to understand that he does not deny my position? [Sir G. GREY: One at a time.] But there are four of you going to have seats in the new Commission. You may depend upon it that you will be severely questioned, and that the debate to-night is only a slight sketch of what you will have to experience. To show you that the poor are justified in stealing, if not relieved, I will remind you of what Lord Bacon, one of the authors of the 43rd Elizabeth, says :—

"The law chargeth no man with default where the Act is compulsory. Where man's nature cannot overcome, such necessity carrieth with it a privilege in itself. Necessity is of three sorts :

necessity of conservation of life; necessity of obedience; and necessity of the act of God, or a stronger. First of conservation of life; if a man steal viands to satisfy his present hunger, his is not felony, nor larceny."

Judge Blackstone give this passage his high authority, and adds—

"This cannot now happen in England, where the Poor Law of Elizabeth suffers no one to be in a state of destitution."

I will now give you an authority which must be a high one with you, the Poor Law Commissioners themselves, who in one of their reports affirm that—

"To punish even depredation, apparently committed as the only resource against want, is repugnant to the common sentiments of mankind."

I have no doubt that also was the feeling of the gentleman in Worcestershire, who had six or seven tons of turnips taken every week by the poor. I have now proved my positions, and I have a right on the part of the suffering starving poor to require some explanation from the Government, whether they intend to carry out the Bill. There is one question on which I have a right to demand a distinct pledge. Are you intending to enforce the New Poor Law upon the same system as it has been administered for the last fourteen years with the intention of proceeding with it until you have abolished the Poor Law altogether? Or are you prepared to revert to the powers of the 43rd of Elizabeth? What has Ireland become from the want of a Poor Law? Why you have been obliged, as a last resort, to pass a Poor Law to save the people from destitution; and the hon. and learned Member for Bath, who has been the able supporter of that measure, has told you, that, to save Ireland, you must pass the 43rd of Elizabeth. Before many years are passed, you will have to rest upon the principles of that Act in England; I mean the principles of local self-government. You must have boards of guardians to assist in carrying out the law; but if they refuse to act under the Commissioners—and they often do so refuse—the poor are left to the tender mercies of the relieving officers to whom the poor are no more than the dirt they tread upon. No doubt during this discussion on the New Poor Law, many hon. Members will take part in the debate who can narrate what has been the working of the New Poor Law in the different parts of the country in which they reside. I can't refrain—as I see the late Secretary of State for the Home Department (Sir J. Graham) in his place—I can't refrain from referring to a letter I have received within the last few days; for of all the accounts of the disgraceful conduct of poor-law unions, nothing surpasses the accounts of the Longtown Union, of which the right hon. Sir J. Graham, of Netherby Hall, is the president. The letter is written by the Rev. John Maughan, who dates from "Bewcastle Rectory." The writer gives a long account of the proceedings of the Poor Law Commissioners in screening parties who had robbed the ratepayers, and in preventing inquiry. Mr. Maughan concludes his letter by saying—

"The above facts are sufficient to show that there has been gross mismanagement of the Longtown Union, and gross negligence on the part of the Poor Law Commissioners themselves. Other facts might be mentioned of a similar nature, and too many others of a character too much resembling the atrocities of Andover."

That is the description of the Longtown Union by the rector of a parish in that union. No wonder that Mr. Parker was screened—at least not screened, but that an attempt was made at the Home Office to induce him to destroy his report, lest *The Times* should be in the ribs of the late Home Secretary for the next six months. No wonder such things should be, when the late Home Secretary had in his own union atrocities as bad as at Andover. I have said, that the private defence of the Commissioners contains an audacious untruth, and I will prove it. I recommend this to the attention of the late Home Secretary, and the Government. [The hon. Member read the extract from the pamphlet, which he said was untrue.] In 1842, two reports were used against me (the hon. Member continued) in this House; but I will not, for particular reasons, allude to the subject further than to state, that in a report which was drawn up by Sir J. Walsham, the most harrowing and frightful details were given of the state of the poorhouse in the parish in which I reside. That report stated that forty-nine inmates of that workhouse slept in, I think, some twelve or fourteen beds. It was handed by the late Secretary of State for the Home Department (Sir J. Graham) to the right hon. Baronet the late First Lord of the Treasury (Sir R. Peel), who read the harrowing account to the House. The right hon. Gentleman (Sir R. Peel) turned up his eyes to heaven and smote his breast, and was horror-stricken at the poor being thus treated under my authority, as he was pleased to intimate—for he pointed to

me at that time. The Chancellor of the Exchequer said, "Yes, and within a mile and a quarter, too, of his (Mr. Ferrand's) own house." They were delighted at the exposure; I was crushed for a season, but I believe I have now recovered. Now what was the state of that poorhouse on the last day on which the old law was in operation? It contained twelve inmates; but in the course of four years, under the management of the Poor Law Commissioners, the number of inmates increased to forty-nine; and from 1838 until 1842, when Sir J. Walsham visited the workhouse, I believe no Poor Law Commissioner had ever entered it. The late Prime Minister, after reading the report I have mentioned, said, "It is high time for the Poor Law Commissioners to interfere." The House shall hear how they did interfere. That report was got up against me in 1842; and when did the Poor Law Commissioners interfere to put a stop to the state of things which it represented as existing? Not until May, 1846, after the lapse of four years. Could anything be more disgraceful than this? The return of the assistant commissioner gives a flat contradiction to the bold assertions, the audacious untruths, which I have read from the defence of the Poor Law Commissioners. But what does the House suppose was the cause of this visit to the poorhouse? In May, 1846, I came down to this House and asked the right hon. Baronet (Sir R. Peel), who was then at the head of the Government, to insist upon an assistant poor-law commissioner being sent to Brugley to examine the state of the poorhouse. Let me state to the House the visits which had been paid to that union by the Commissioners during the few years preceding. On the 20th of July, 1842, Mr. Mott attended the meeting of the board of guardians; on the 17th of May, 1843, after an interval of ten months, Mr. Clements attended; twelve months afterwards, on the 8th of May, 1844, Mr. Clements paid the board another visit; and on the 2nd of October, 1844, the same person again visited them. And yet we were paying these men some 1,200*l.* or 1,400*l.* a year for performing their duties! The union was not again visited by an assistant Poor Law Commissioner until the 21st of May, 1846, after the lapse of a year and a half from the previous visit; and then that Commissioner was sent down at my request—at the request of the man who had been traduced in this House in the most scandalous manner by persons who ought to have been ashamed of their conduct. Upon my interference and at my request an assistant commissioner was sent down to rescue the poor from their sufferings; and what do hon. Gentlemen suppose was the state of the poorhouse? On the 9th of June, 1842, there were fifty-five inmates; on the 1st of January, 1843, forty-three; on the 1st of January, 1844, fifty-seven; on the 1st of January, 1845, forty-two; on the 1st of January, 1846, fifty-three; and on the 1st of January, 1847, forty-four; so that during two years out of the five, there was a larger number of inmates in the union poorhouse, than on the day when it was visited by Sir J. Walsham, at the suggestion of the late Secretary of State for the Home Department. Thus, then, I give a flat contradiction to the audacious statements of the Poor Law Commissioners in their private defence; and I could point out many other statements in that defence which are as unfounded and as untrue as that which I have just read. This, however, is sufficient to stamp the whole of that defence with falsehood, and to show that it is not worth the paper upon which it was written. Before I conclude I will merely ask the Government this simple question—do you not believe, if you were to attempt to enforce the powers of this new Poor Law against the aristocracy or the middle classes of this country, that you would produce a rebellion within a week? There cannot be a doubt of it. Those classes of the English people would rise as one man to defend themselves against such tyranny and oppression. But it is the poor alone who are thus oppressed and persecuted; it is against them only that you enforce this harsh and cruel law. Let me ask you to choose a happier course—to become the protectors of the poor instead of being their oppressors; for there is not on the face of God's earth a more loyal, a more peaceful, a more obedient, a more grateful, a more industrious body of working people than those within Old England; and what they have done to merit such treatment as this, neither I nor any other man in this country can understand or find out. They have borne this tyranny for thirteen years. How much longer do you intend them to submit to it? Depend upon it the day of reckoning must come. Amidst all their sufferings they are discontented from the knowledge that you have shown no pity for them—that you

have deprived them of what God and the laws of their country have given them as a sacred and a legal right; and you cannot now appeal to them with the generous confidence you would have felt before the accursed principles of Malthus inoculated your laws. No; you have no right to appeal to them for allegiance if you refuse to protect them. Protect them with equal laws, equal rights, and equal liberty, and I have no fear for the peace of this country. Refuse them that protection, and the day must come when you will have reason to regret your oppression. I beg leave to move, Sir, that this Bill be read a second time this day six months.

MR. ROEBUCK said: Sir, I have no doubt that I should be paying the hon. Member for Knaresborough (Mr. Ferrand) a compliment if I denounced him as a dangerous person; but as an idiot may set fire to a haystack, the language of the hon. Gentleman may be productive of very mischievous consequences. The hon. Gentleman has talked for the last two hours about the law, about inalienable rights, about the 43rd of Elizabeth, about the tyranny of the new Poor Law, and about a variety of other things, without understanding anything of the subject. He is totally ignorant of what he has been talking about of the 43rd of Elizabeth. He has never read that Act, I am sure, and I am here to prove it. Nothing is more easy than to rant about that which you do not understand, and nothing is so easy as to obtain popularity by pretending liberality with respect to the poor. I will prove to the House that the 43rd of Elizabeth has not in reality been departed from, and that the present law—which is called "the New Poor Law"—has been, if anything, a reaction towards the old law, the 43rd of Elizabeth. Now, before we go further, let us understand under what circumstances the 43rd of Elizabeth was adopted. That Act was the result of the consequences which followed from the putting down of the religious houses in this country. The convents and monasteries had been in the habit of maintaining a certain number of the poor around them, furnishing them the means of support. The Reformation came, and the religious houses were put down. What was the consequence? A number of "sturdy beggars," to use the language of the Acts of Parliament, wandered about the country, and had to be provided for. Now, what was the object of the Act of the 43rd of Elizabeth? I have here the 43rd of Elizabeth, chap. 2, and I think it is proper that the world at large should fairly understand the provisions of this Act. We hear constant appeals about inalienable rights founded upon an Act of Parliament, and an hon. Gentleman gets up in his place in this House and says, that that which an Act of Parliament has created, an Act of Parliament cannot undo; and he tells the Attorney General, "I will prove that an Act of Parliament cannot do that which you have attempted to do by your New Poor Law." Now, what was the 43rd of Elizabeth?—

> "That the churchwardens of every parish, with other persons mentioned in the Act to be called overseers of the poor, shall take orders from time to time by and with the consent of two or more such justices of the peace for setting to work the children of all such above parents, as shall not by the said churchwardens and overseers or by the greater part of them, be thought able to keep and maintain their children, and also for setting to work all such persons, married or unmarried, and having no means to maintain them, and use an ordinary and daily trade to get their living by."

That is the sum and substance of the 43rd of Elizabeth, and the remainder has reference to the mode of taxation, and matters not concerning the poor. After the 43rd of Elizabeth was adopted, there was a great change in the administration of the law, and a rate was imposed by means of which farmers and others were enabled to employ the poor by deriving certain sums from the parishes to make up their wages. To meet this state of things the New Poor Law was devised. I am now about to maintain the rights of the industrious poor against the lazy poor; and that is a distinction never drawn in this House. Under the old law the lazy poor came and braved the local authorities in the vestry; I have seen them march into the vestry and say, "You shall give us relief, and we will do no work." The poor farmers were frightened out of their wits by these men; and why? Because they knew that if they refused relief to these persons, their stacks would be burnt the next night, and their ploughs would be cut to pieces, and their cattle and horses maimed. Indeed, if they refused to maintain, not the industrious, but the idle poor, they were robbed of that which was the result of their own industry. Now, for God's sake, let the country and the House understand what was done under these circumstances by Parliament. They said, "The local authorities are totally unable to deal with these difficulties; the idle poor come into the parish vestry

and brave the farmer, and what can he do? Now, let us unite a number of parishes together; let us put the authorities at a distance from these men, and let there be a central authority in London, to whom an appeal may be made." Let me point out the advantages of this arrangement, and let me ask, about what has all the riot and noise with reference to the New Poor Law been made? Why, about the central authority. I recollect reading, in my youthful days, a poem called *The Country Justice*, written, I think, by Dyer, which contains a description of a dispute between contending parishes respecting the settlement of a poor woman with child; and the poet describes the unfortunate woman as lying-in in the cart while the parish officials were disputing as to where they should be sent. You allowed these country justices to administer the law most inefficiently without complaint; but the moment three men, sitting in Somerset House, were appointed to control its administration, there was not a trading politician, however feeble his intellect or however low his capacity, but pointed his forefinger at the three tyrants of Somerset House. But this system concentrated the responsibility; it provided for that which had all along been wanted, namely, that there should be an appeal from the local authorities to some other authority amenable to this House. This was the great benefit of the new law. It concentrated responsibility; it marked out the persons who were to be the administrators of that law; it made them amenable to the great public opinion of this country; and I am satisfied we never should have heard of the evils of the New Poor Law if it had not been that three Commissioners were appointed. They have been curbed, thwarted, and controlled; and you find that the popularity hunters by whom they are assailed are egged on by the justices at sessions, who are glad to see those who succeeded to the exercise of many of their functions with regard to the Poor Law thus treated. Let us understand what the Commissioners were appointed to do. I am about to speak of what they have done, and I am about to show that what they have done has been in contravention of the law and in obedience to the cry out of doors—that cry of which the hon. Member for Finsbury has been one of the loudest and most eloquent supporters. The fact of their having deviated from the law certainly shows that they were unfit to administer it; but they deviated from the law in a direction precisely contrary to that which the hon. Member for Knaresborough supposes they took. The law is this—that a man who is unable to maintain himself shall be maintained by the State—that a poor man, being unable to maintain himself and his family, has, under the law, a right to relief. Now that is what I have desired for the Irish people; it is that which I have fought for; and it is some little pride for me that I have been singular in this House in supporting such a scheme, and that I have stood almost alone in debate and in division. ["No, no!"] Aye, aye. I have maintained for the Irish people a right to relief; but the right to relief does not mean that they shall be relieved whether they be idle or industrious—it does not mean that the idle poor man shall come in before the industrious poor man and say, "Give me relief; I'll have it; I care not for the poor labouring man who works twelve hours a day, and who has an honest feeling about his independence; I have a right to relief under the law, and I will have it." That is the notion of the hon. Member for Knaresborough; but it is not the notion of the law, and it is not the notion of common sense. The notion of common sense is that if a man, under the pressure of unfortunate circumstances, is unable to maintain his family, he shall be maintained by the State; but some test is necessary, for the vagabond may say, "I have as much right to relief as the industrious man; and if you don't give me it, look out, for you shall see the consequences." Some test, then, is necessary to enable us to distinguish between the idle vagabond, who demands relief without any industrious habits or any wish to labour, and the honest poor man, who by unfortunate circumstances is reduced to such a position as to require relief. For this purpose a poorhouse is established. Now, nothing is more easy than for Gentlemen to talk about the poor in these matters, without having the slightest wish to enable the poor to decide for themselves; for I undertake to say that, with one or two exceptions, the persons who preach about the Poor Law are always opposed to giving the poor equal political rights. These canting hypocrites, who declaim so loudly about the poor, will refuse to give them the right to vote. But the poor know their real friends from those pretended friends who, out of their necessities, would carve their own way to fortune. The plan established

by the law is, that the man who comes to the poorhouse, being in a state of necessity, and willing to take the relief offered by the State, should have that relief provided. And now I come to the question of the right to relief. The hon. Member for Knaresborough talks about the inalienable right to relief. For my life, I cannot understand this inalienable right to relief which he speaks of. The hon. Gentleman talked about Puffendorf, but I will stake my life he has never read Puffendorf. I will be bound that he has never opened Vattel; and as for Grotius, I do not believe that he knows whether Grotius lived in the time of George III., Charles II., Queen Elizabeth, or the Emperor Adrian. Any child might talk of Grotius or of Puffendorf, whose names he might have heard, but whose works he never read. I think very little of the authority of the hon. Gentleman on any matter of learning, and still less on any matter of common sense. The hon. Member for Knaresborough has talked about the inalienable right to relief, and he has quoted from Coke and Blackstone, into whose works it appears he has been dipping. Dipping is a most easy thing; but I am not quite sure that he knows which of the two preceded the other; and I may here mention, that I find a pamphlet, written, I believe, by one of those who pretend to be in favour of the poor, speaking about the revocation of the edict of Nantes, and the consequent massacre of St. Bartholomew. [Some hon. Member here observed, that it was written, perhaps, by a Poor Law Commissioner.] If it were the work of a Poor Law Commissioner, why did not the hon. Member for Knaresborough comment on it then? No, it is not the work of a Poor Law Commissioner, but of one of those gentlemen who talk about the Poor Law, and do not understand it. But what is the meaning of that inalienable right to relief of which the hon. Member for Knaresborough speaks? Let us understand it. He says that the 43rd of Elizabeth confirmed that right. Now, the 43rd of Elizabeth is an Act of Parliament passed in consequence of a necessity by the Queen, Lords, and Commons, of that day. This I will say, that an Act of Parliament which creates a right on the part of certain classes, and imposes an obligation on certain others, is repealable by Parliament; and, if it had been repealed, the repealing Act would have been law, and the hon. Gentleman would not have found the twelve Judges so thoroughly fatuous and so gone beyond common sense as to have determined that an Act of Parliament is not the law of the land. Were I to find a Judge doing that, I should call him to the bar of this House to answer for his conduct; but I never in my lifetime found one of the Judges adopting the language of the hon. Gentleman. We may have heard a Judge complaining of the slovenly mode in which Acts of Parliament are passed, but none of them have ever maintained a doctrine so contrary to the constitution as that which the hon. Gentleman has broached. The Judges are appointed to administer that which we and the other portions of the Legislature determine should be law; and if ever one of them shall be so audacious as to say that that is not the law, I would bring him to the bar of the House to answer for his transgression. What is the meaning of this inalienable right to relief? What the hon. Member for Knaresborough talks about is the right to relief under the 43rd of Elizabeth; according to which the poor were to be set to work. [Mr. WAKLEY: Not in a gaol.] The hon. Member for Finsbury says—"not in a gaol." What does he mean? Has the hon. Gentleman ever gone into a poor man's cottage? Does he ever employ and pay a poor man? If so, he must be aware that the cottage of the poor, honest, and laborious peasant is, I am sorry to say, a far more miserable habitation than that which the beneficence of the law has provided for the indigent poor. In the cottage there is no medical adviser—no cleanliness—in it there is neither that warmth nor shelter which the law has provided for the poor in the poorhouse. I speak on this subject knowingly. It is my habit month after month, week after week, and day after day, to go into the habitations of my poor fellow-countrymen. I employ a great number of them. I know their feelings and their condition. I know this also (and I defy any one to tell me the contrary), that the labouring poor at this moment in their own habitations are far worse off than in those habitations which the hon. Member for Finsbury has designated as bastiles and gaols. [Mr. WAKLEY used the word gaol only.] Well, a gaol is a place where a man is put for an offence. [Mr. FERRAND: The offence of the poor is their poverty.] Let us see whether this is the case. A man by unfortunate necessity is poor, and unable to maintain himself. He goes to the State Exchequer and asks relief. The State says—"We

cannot tell whether you are an honest man or not, but if you are an honest poor man, you will make no objections to the conditions on which relief is granted, and you will come into the workhouse." But "oh!" says the hon. Gentleman—and his eloquence here is most affecting—"the poor man has a wife and children, and there would be a separation of the husband from his wife and family." Well, is not the soldier separated from his wife, and the sailor also? They are sent to the farthest points of the world, while the wives are left behind, and we never see any one get up and contend that the soldier and the sailor should be accompanied by their wives and families. How would the hon. Member for Brighton act, supposing he was in command of a ship, and the crew were to tell him they were married, and they wanted their wives and families along with them? Is there any man in society, under all the exigencies of life, that is not constantly separated from his wife and from his family? Even in this House there are a large number of gentlemen so situated. The hon. Gentlemen from Ireland do not bring their wives with them. If any do, they are very happy men. But a large number of them do not, and who ever got up in Parliament, and exclaimed, with patriotic furor, "For God's sake, look at the Irish Members deprived of every domestic happiness, because they do not bring their wives along with them." Every man, then, who comes to the State for relief is bound to submit to the regulations of the State; and when any one talks of an inalienable right to relief, I reply that there is no such thing, and that the poor have a right to relief by an Act of Parliament, which very rationally says that no man shall be fed by the State but those who are really paupers, and that is ascertained by means of the workhouse test. The workhouse test is very unpopular; and although this is the last year of the present Parliament, yet I will now speak, as I began, in favour of that test. I believe that, in the present situation of England, the workhouse test is not an unfair or cruel mode of ascertaining and separating the really industrious and unfortunate poor who require relief, from the vagabonds who would absorb the means intended for the support of the industrious poor. If any one can show me a better mode of distinguishing between these two classes, I will adopt it with the utmost alacrity; but until you show me a better, I am compelled to take this. There is, however, a distinction which I wish to draw, which I have always insisted on, and which I hope the Legislature will adopt means to establish. I object to the feeding of the idle and the vagabond, because that constitutes a bad example, and leads to the demoralisation of the industrious population. But this objection does not attach to the maintenance of the old and the infirm. Therefore, the moment you have ascertained that the aged and infirm are unable to obtain the means of subsistence, do not apply to them any test, but give them those means to the uttermost necessary extent; for, by so doing, you are not indulging bad habits, nor creating a pernicious example. This will not in any way militate against the industrious habits of the poor, but will as much as possible tend to conciliate the kind feelings and good wishes of the poor towards those who by circumstances are placed in a happier situation. If this distinction were established throughout the parishes of England, I think that the occupation of the hon. Member for Knaresborough would be at an end. He could then do nothing to excite the poor, for the large mass of them are industrious, and are anxious that the means which should be applied to the support of the industrious poor should not be given to the misbehaving and undeserving. Now I come to the Poor Law Commissioners, and with great pain I am obliged to say that the Poor Law Commissioners have not carried out the law. They have quailed before the outcry raised by one influential journal—I may as well mention it—*The Times* newspaper. The hon. Member for Knaresborough, who has talked so loudly to-night, is merely but a faint echo—a will-o-the wisp—the almost imperceptible shadow of the great *Times* newspaper. He is one of the persons pushed on by the means of *The Times* newspaper, and his every word, every blow on the red box, every emphasis, every parenthesis, and every single sentence is but a bad imitation of *The Times* newspaper. *The Times* newspaper is written by a man of classical attainments, and by a man of knowledge, and herein is wonderfully different from the hon. Member for Knaresborough; his knowledge and attainments distinguish him from that hon. Member as the sun may be distinguished from that gas light. *The Times* newspaper is the great parent of all this opposition to the Poor Law, and it is enabled to carry out its opposition in consequence of what I believe to be the unfortunate wavering on

the part of the Poor Law Commissioners. If they had stood steadily to their duties—not listening to outcry from one side or from the other, but had carried out what I believe to be the spirit of the law, they would then have had with them the support of the people of this country, and they would have prevented *The Times* newspaper from doing what I know it has done—overturned the Commission. In consequence of *The Times* newspaper constantly hammering at the Commissioners, and frightening them, they deviated from the line which they ought to have maintained; —the acute authority of *The Times* newspaper took advantage of their blunder, and we are now unable to defend the Commissioners, because they are unable to carry out the law. This is my objection to the Commissioners. They have yielded to popular outcry; and the mischief is, that after a good law was passed, you got inefficient persons to carry it into execution. If you had sternly administered the law—I use the word advisedly—you would have made friends of the poor, because the law is one passed for the industrious poor against the idle and the vagabond poor; and the idle and vagabond poor, as every one knows, are but a small section of the whole, though a noisy section, and constantly at work. They, however, have advocates in the hon. Member for Knaresborough, in *The Times* newspaper, and all who are fond of popularity-hunting. What is the inalienable right to relief of which the hon. Member for Knaresborough talks? The 43rd of Elizabeth justly says, that those receiving relief shall be set to work. [An hon. MEMBER: Crushing bones.] There are many occupations of the poor which are painful to go through, and against which, if directed by the Poor Law Commissioners, there would be a great outcry. There is the occupation of the nightman; there is the occupation of the typemaker. He does not live more than a very small number of years; but type-founders are to be had—they are got for money. No man is obliged to be in want of books, and yet every book that he gets, in the present state of the art, goes to seal the doom of some working man. It is true that philosophy may invent a mask for him who files iron, to prevent its affecting his lungs; but does the hon. Member for Knaresborough get up and say, "The poor of this country are filing iron, by which their lungs are destroyed?" He does get up and talk about "devil's dust;" I never knew him talk about this dust. The type-founder has no such protection, and to this hour he is the subject of disease. Take a painter; he is daily subjected to the destruction of the power of his limbs. Or what say you to the colliery? You will tell me you have relieved the women and children from working there; but you have not relieved the men. The men work many fathoms under ground, groping their way for miles along in an infected atmosphere; and you sit in your homes round your cheerful Christmas fire, and no patriot talks about that. The fact is, this is all misplaced humanity, to give it the mildest name. The hon. Member opposite (Mr. Wakley) may shake his head; has he never dissected a body? [The hon. and learned Gentleman proceeded to describe the painful nature of a surgeon's duties, and then continued.] Society is unfortunately so constituted that this is the inevitable lot of humanity, though it may be that some are more fortunate than others. and labour at a happier vocation. But if you cannot show me that there is no necessity for the performance of all these painful duties, you are not justified in getting up and saying that it is improper to employ the poor in this, that, or the other. I will agree at once that there is no necessity for employing in any of these operations the poor unfortunates who are obliged to ask the State for subsistence. But why? Because society has the services of those who are willing to undertake these occupations. But then, mark: I labour all my life; born to nothing, I earn every thing; and shall it be said to me, "You are bound to maintain the vagabond outside your gate, who will do nothing?" Who has a right to come to me and say, "Give me of your substance, for you are rich?" I say, I am not rich; everything I gain is my own, won either by my hands or my head, and you have no right to come to me but from necessity. That is what the labouring man has a right to say, and I am here standing up for the labouring man; I want that understood—it shall be understood before I have done. The labouring man says—"I work ten hours according to Act of Parliament, I have got a wife and children, I maintain them honestly, I live in a house for which I have to pay poor-rate; and what right has John Thomas to take of my earnings? That John Thomas there—he won't work; I know him well; I have known him from his childhood; he has been in the workhouse twenty times; he

won't work." Does the hon. Member for Finsbury say that that is an uncommon case? No; he knows it is not. Well, but then how am I to know that the applicant is John Thomas, the idle vagabond, and not John Smith, the honest labourer? Set him to work, says an hon. Member, and out comes the 43rd of Elizabeth to prove it? To work at what? Beating hemp. Where? In a shed. Oh, but this is "a bastile?" Why, what is a poorhouse? A well built, well ventilated, well warmed, well cleaned habitation, out of which a man may walk at any hour of the day, and you cannot stop him. And are we to have the hon. Member for Knaresborough, with all his vulgar rhetoric and misquoting Lord Chatham, talking about a place with all the winds of heaven blowing round it? God help the right hon. Member for Dorchester (Sir J. Graham) too; what a stream of turbid and muddy rhetoric was poured upon him! But the hon. Member must not come down and talk to us about poor wretches beating hemp under a miserable shed which he would not put his cattle in; the poor are not in a shed, but in a beautifully built house. The last I passed this morning, about five o'clock, is situated in the midst of the New Forest, looking out upon its beautiful scenery on the one side, and almost to the Solent on the other. "Oh, but," says the hon. Member for Finsbury, "that is a gaol." A gaol! how so? You do not keep the people in. "Oh, but they are in a prison dress." Why, you are obliged to dress them, to give them warm clothing, and it is more economical that it should be after one fashion; and really I should be glad to be assured of having all my life such comfortable clothing—a good coat, good trowsers, a clean shirt, clean stockings, honest good shoes, and a felt hat. At all events, that is much better than many an honest man has out of the workhouse. I give away clothes that I call worn out, and they are accepted with grateful thanks; but when the State offers a man a thoroughly good dress, up jumps the hon. Member for Finsbury, and says, "Holloa, here is a prison dress!" Was there ever such an unhappy statement put forth for any unfortunate people—unfortunate indeed—most miserable in their wretched friends? The hon. Member for Finsbury cries "Hear!" I believe the description is an honest one; let him answer it. Let him prove that the dress, the economical dress, warm and comfortable, which is given to the poor in the workhouses of this country, because it happens to be a uniform, is a prisoner's dress. But the hon. Member for Finsbury will not (if I may use a commercial phrase) indorse the Bill of the hon. Member for Knaresborough. He talked about the prison dress; a prison dress, because it happens to be brown, or grey, and is uniform. Suppose it was red, and uniform; would that be a prison dress? Oh, but it is the colour! Can anything be so thoroughly wretched and paltry and miserable as to make this turn upon the colour of a coat? If it be red, it is an honourable uniform, belonging to Her Majesty's troops, and linked with glory and renown; but if it happens to be grey, with a brown felt hat, instead of a black one with a feather in it, then it is a prison dress! When these things are but stated fairly and honestly, they are in reality an answer to all the rhodomontade statements of such Gentlemen as the hon. Member for Knaresborough, with whom I do not class the hon. Member for Finsbury. But now, what is to be done with the labouring poor of this country? That is what the question comes to. I am not about to assume any patriotic air, or to lay claim to all the virtues of humanity; but I will say, that with the labouring and honest poor of this country I sympathize as deeply as any man in this House; and I am prepared, by any system of legislation with the hon. Member for Knaresborough will propose, to maintain them in their industrious habits. I have met working men with this argument—men that I could hold up as an example to the hon. Member—men that are very acute and logical, not given to vulgar rhetoric, and, above all, extremely careful in their statements; I have said, "You object to the New Poor Law; bring forward your own plan." Now, I challenge the hon. Member for Knaresborough to bring forward his plan, and the hon. Member for Finsbury his. Let us have no more criticism; do not be pullers down; there is a great deal of talk about destructiveness—do show your ability now in an Act of Parliament. What would I give for an Act of Parliament propounded by the hon. Member for Knaresborough? Conceive such a production! I dare say the hon. Member has some spice of kindly feeling in his nature. I have no doubt, upon an extraordinary occasion, he would even go so far as to do me a good turn. He would give me inexpressible delight—and that is what he does not often do when he speaks—if he would only concoct an Act of Parliament

for the poor. I think I could pretty soon rout him and his Act of Parliament. Or, if he likes, let him go to the hon. Member for Finsbury. But really it goes beyond a joke, for I find everybody ready to criticise, and nobody ready to say what ought to be done. The other night the hon. Member for Liskeard (Mr. C. Buller) described the Poor Law Committee, and told us that every body on it was finding fault with the law as it exists; but when, by one of those strange freaks of fortune which are employed to damp men's audacity, they were set to work to legislate, there was such a farrago of contradictory plans, such a hurly-burly of confusion, as passed even his capacity to describe. And there sits the hon. Member for Evesham, who says that the law of settlement is no part of the Poor Law: that is a specimen of the way in which some persons will "rush in." It was in the Settlement Committee, where all parties said that the law of last year was bad, and when they were asked for a remedy they all went together by the ears, unable to determine anything. We are now about to legislate for the poor of this country; and I, who am not accustomed to flatter the House, will say, that I do believe it is the sincere wish of all parties here to do by the poor that which is just and for their interest. It is most easy to affirm that the poor have ceased to have any regard for our opinions; but if that were put into a proposition, I should say it was untrue and unfair, both to this House and to the people themselves. My belief is, that we really desire to do that which is for the good of the people; but we differ about the means. The hon. Member for Knaresborough, indeed, throughout his harangue, indulged in one constant tirade against this House, against the Ministers of the Crown, against the right hon. Member for Dorchester, against the right hon. Member for Tamworth, against everybody that had been in power —Lord Brougham among the rest (but I strongly suspect he knows very little of Lord Brougham)—and taunted them all with utter disregard to the people, and assumed, forsooth, that he represented the people. First of all, I suppose he means to say that he represents their intelligence; but that I deny. Then, that he represents their feeling; but that also I am compelled to deny. I am certain, that if you took the sense of the people, you would find they go along with us in our view of the case. And he cannot twit me with ever shrinking from meeting with the people; I never feared to stand before them, and invariably I have maintained the doctrines I am maintaining in this House; I am convinced that the rational part of the population agree with me, and the rational part of the labouring population. If you depart from the principle of the present law, you will no longer stand as you now do, the lords of the human kind, setting an example worthy to be followed. I can conceive nothing so detrimental to the whole character of the English people as carrying out the wretched philosophy of the hon. Member for Knaresborough, which requires relief to be given without asking whether a necessity for it exists. Instead of an honest, upright, dignified population —for the poor man is dignified in his calling—instead of such a population winning their way by honest industry, and fulfilling all their duties, you will have a craving, subservient, subjected population; a miserable race of crouching slaves, instead of upright and honest freemen. Because I believe it to be our first duty to preserve this character of the people, I ask you to maintain in its integrity this great measure for the relief of the poor, giving with an unsparing hand when dire necessity demands relief, but not giving to the undeserving poor that which was intended for the labouring population. I wish to say only one word respecting the Commission. I say it with great pain. I do not shrink from the principle of the law; but I do say the Gentlemen who have hitherto carried out this law have not had that steadfastness of mind requisite for administering so great and necessary a measure. I do, therefore, beseech the noble Lord to let no personal feeling interfere in a matter which affects the welfare of all the labouring population of this great country, but to give us a Commission that is above all suspicion.

Mr. BANKES could not but think it remarkable that while the hon. and learned Member for Bath professed to set so little store upon the speech of the hon. Member for Knaresborough, because deserving of little weight, he had nevertheless occupied so much time in animadverting upon it. Nor had the hon. and learned Gentleman been at all felicitous in his observations; certainly he was not original in the taunt he threw out when he invited the hon. Member for Knaresborough to bring in a Bill. That was but a repetition of the taunt which the hon. and learned Gentle-

man himself received from the Prime Minister a few evenings since—a taunt, by the way, much more feeble in the repetition than when delivered from the Treasury bench. He must remind the hon. and learned Member, that if he meant to support the Bill as introduced by the Government, the observations he had made on the Commissioners and their conduct should have led him to precisely the opposite conclusion, for the Ministers did not disapprove of the conduct of the Commissioners. They especially told the House that they would enter into no undertaking that the present Commissioners should not be appointed to the posts of honour created by this Bill. The subject really before the House was not the provisions of the Poor Law. The question they had to consider was not whether they were to new-model the Act of 1844, but whether, in reconstructing that part of which related to central control, they should retain substantially the same system and the same men. But the Commissioners were to be installed in higher dignity and honour than ever. They were to be declared competent to hold seats in that House. To such a proposition there were constitutional objections; and there were other acts of the Government with which it might be viewed in connexion. The noble Lord at the head of the Government had spoken of the overwhelming pressure of business upon public men. He did the noble Lord the justice to believe that, overwhelmed as he was with business, he had not had time to read over the Bills which had been introduced under his sanction by different Members of his Government; for it would be matter for surprise, indeed, if it should happen that, with the knowledge of one so distinguished for his adherence to constitutional principles, two, three, or four Bills had been brought in which created so many new pieces of patronage. It was the fashion among hon. Members to get up speeches upon topics which promised to be popular, such as the sanitary condition of towns, or prison discipline. All joined in applause of the introductory speech, which throughout the country was hailed as giving birth to a new era. But the Health of Towns Bill turned out to be a new creation of Commissioners and subordinates, and an invasion of private rights to such an extent that London rebelled, and the noble Lord did not dare to dine with his constituents till he was able to assure them that they would be exempted from its operation. Marylebone joined in the outcry; and then the Bill was so framed that it expressly excluded London, and, by implication, the metropolitan districts. Under the Prisons Bill commissioners and inspectors were to be appointed, superseding those who had hitherto been thought guardians to be trusted with the management of gaols. In Swift's *Advice to Servants*, there was a maxim which ran somewhat in these terms:—"Take care each of you in your own department to make provision to expend exactly the whole of your master's income, for that is what will do him the greatest credit, and show your respect for his credit." And so in the present instance. Every one who drew up a Bill, made places for commissioners and inspectors to the full amount of the sum at the disposal of the noble Lord. One placeman, say the Railway Commissioner, might have escaped notice. But here were two other Commissioners provided for; and the very men who had already been so greatly condemned might be appointed. Nay, some checks which previously existed on their conduct were to be taken away. They did not require to keep a record of their proceedings; the Commissioners had never kept any, though bound to do so; but that which the old Commissioners had neglected to do, the new Commissioners were to be exempted from doing. Was this new Whig plan intended as an absolution of the Commissioners? The Frst Minister of the Crown had said he did not think there was anything in the conduct of those persons to prevent them from holding office in the new Commission, which was subjected in a smaller degree to check, and invested in an extended degree with powers, while the station of the Commissioners was improved, being rendered admissible to that House. He had always thought it desirable to have, in regard to the poor, a representative connected with the Home Office. Before adding two placemen to the House, the propriety of leaving out two Lords of the Treasury or Admiralty, or a clerk of the Ordnance, and some other functionary, might be suggested as a question for consideration. Something almost like a trap seemed to be laid for the House; by swallowing such a proposition they would be sent with a very ill grace to their constituents. The Commissioners had the power to create laws. The Attorney General had stated that this power was not entirely anomalous, because it was possessed by

courts of law. But the other example—the Ecclesiastical Commission—was rather unhappy; it did not follow that because the House had made one unfortunate experiment, they ought to make another. If the Commissioners were to have seats in Parliament, why should they not make their laws there instead of making them in their private chambers? One object of their being admitted to Parliament, he understood, was, that they should from time to time propose those laws which might be recommended; as in the instances of the Railway Commissioner. The best circular letter was an Act of Parliament. After ten or twelve years' experience, it was time to say what rules and regulations ought to be retained or abrogated; but if new experiments were to be made, they ought to be discussed in that House, and not at a private board. Would the right hon. Gentleman the Secretary for the Home Department inform the House why, at that late period of the Session, they were called upon to consider this proposition? The hon. Member for Bath had made merry with the Committee sitting in the other House, and not altogether without reason; but the inconclusive result of such an inquiry he had always anticipated. He could not consent to the second reading of the Bill, unless assured that it would be freed from those objections to which he had alluded. As to the details, there was much room for amendment; but the Bill could not be allowed to pass its present stage unless the Government announced their intention of making alterations in those points which affected the vital principle. As to the Poor Law, he had always thought it very unfortunate that it was taken up as a new measure. Additions were made to the old law; but the originator of the new law was neither Chadwick nor Senior: the real author was no other than Sir Matthew Hale. He had the original treatise in which Sir Matthew Hale recommended it to the public in his own beautiful language. But, though it was chalked out, the Whig party, it was said, had an unhappy mode of managing matters; and hence they spoiled the plan. The Commission was an addition of the Whigs, and not of Sir M. Hale's; and there were other additions equally pernicious. But all its beneficial parts, all the portions which gave rights to the poor, were propositions of Sir M. Hale's. There was, he (Mr. Bankes) believed, very little difference in that House as to the mode in which the Poor Law ought to be carried out; but the hon. Member for Bath seemed to admit that the central control was not a happy one. He could not think that this country would ever approve of conferring on people the power of making rules such as that which had been exercised by the Poor Law Commissioners. The Commissioners had few opportunities of ascertaining the real sentiments of the country. He had been struck in Committees with their ignorance of the feelings of the people. In reading Mr. Chadwick's evidence, he was led to contemplate, as he did with great alarm, the probability that it was to Mr. Chadwick's system that the Government were looking. That system was to abolish all local authority whatsoever. Mr. Chadwick thought it unnecessary to have meetings of guardians oftener than once a month. Yet, one great advantage of the New Poor Law was said to be, that it would bring different classes together. The further progress of this central control must be viewed with great alarm; even while the necessity was admitted of some central power ready to interfere when there was occasion, but interfering as little as possible. The Poor Law would never work beneficially or attain popularity till that principle was secured. He had that day presented a petition, complaining of the conduct of certain district auditors. Instructions had been issued requiring them to audit the accounts twice in the year; but the fact was they had not audited them at all. He had also presented a petition the other day concerning a relieving officer who was said to have embezzled certain funds, but which allegation had never been attended to. This showed that the Poor Law Commissioners were either not acquainted with the working of the Act, or were unable to carry it into operation. If the Government attempted in the present Bill to supersede those who had local knowledge in the administration of the law, they would render the measure deservedly an unpopular one. The present Act had become unpopular, he concurred with the hon. Member for Bath in thinking, mainly from the unfortunate conduct of the Commissioners. It was a matter well worthy of deep consideration what change should be introduced; but before he voted for the second reading of this Bill, he must see a better prospect of amendment than anything he found there. He was truly anxious for a change, because he found that in the country confidence was shaken in the present Act, and it was very re-

quisite that some change should be made. The reason of the change now proposed, however, had never been given by the Government; for they denied that it was occasioned by the conduct of the Commissioners; and he defied them to show that there was any other reason for the change, except it were to give seats in Parliament to two additional officers of their appointment. If they introduced the amendments he had suggested, however, he believed that the Poor Law would work well, and be no longer unpopular. Under these circumstances, although not agreeing in many of the points which had been brought before the House by the hon. Member for Knaresborough, he still felt it to be his duty to vote with him in opposing the second reading of this Bill.

Sir G. GREY: I confess that after hearing the speech of the hon. and learned Gentleman who has just addressed the House, differing as it did in all its parts from the speech of the hon. Member for Knaresborough, I was rather surprised to hear him conclude by saying that he should vote with that hon. Member. The speech of the hon. and learned Member (Mr. Bankes), as well as the speech of the hon. and learned Member for Bath, has disposed of so many of the objections of the hon. Member who moved the rejection of this Bill, that it will save me the trouble of replying to them. I shall only notice, therefore, a small portion of his speech. The whole speech of the hon. Member for Knaresborough was directed against the amended Poor Law of 1834, which he described as a complete departure from the original Poor Law of the 43rd Elizabeth, and as a new and tyrannical law. He asserted that the object of the original promoters of the measure was to get rid of Poor Laws altogether. The hon. Member told us (though where he got his information I do not know) that it was the result of a compact between the leaders of the two political parties in this House, that whoever should be in power the New Poor Law should never be disturbed; and maintained that it was a law which was unfit to be on the Statute-book. With respect to the principle or details of the present Bill, he never once adverted to them; but, on the principle of opposition to the existing law, he was opposed to the further progress of this Bill. The hon. and learned Gentleman has said, and said truly, that no alteration of the principle of the Bill of 1834 was proposed in the Bill before the House; and, if there had, it is probable he would have opposed it, because he told us that the Poor Law Amendment Act contained no new principle, but was merely an adaptation of the old law to altered circumstances; and, that so far from having been concocted by a party of modern political economists, who were determined to abolish Poor Laws altogether, it was the same as the scheme proposed by Sir Matthew Hale. I have therefore the support of the hon. and learned Gentleman to the principle of the Act of 1834. The hon. Member for Knaresborough, I must say, entirely misrepresented the intentions of the authors of this Bill. He has quoted large extracts to show that their object was to abolish all Poor Laws; but if he had read the speeches throughout he would have found that the responsible advisers of the Crown disavowed the intentions which have been imputed to them. For instance, Lord Althorp, in introducing the Poor Law Bill of 1834—

> "Begged that he should not be understood as expressing his disapprobation of a well-regulated system of Poor Laws. So far from that being the case, he was of opinion that a well-regulated system of Poor Laws would be productive of great benefit to the country. He was aware that he was now expressing an opinion contrary to the more strict principles of political economy."

After describing the principles of political economy, Lord Althorp went on to say—

> "Such was the doctrine of political economy. But as long as we were accessible, not only to the feelings of religion, but to the dictates of humanity, we must be convinced that the support of those who were really helpless, and really unable to provide for themselves, was not only justifiable, but a sacred duty imposed on those who had the ability to assist the distressed. It was, therefore, to the abuses of the system of Poor Laws, not to the system itself—it was to the bad administration of those laws, not to their principle—that he objected."

Such was the language of Lord Althorp, in moving the Bill of 1834. I hope, therefore, that the hon. Gentleman (Mr. Ferrand), will not again assert that it was the design of the authors of that Bill to deprive the poor of the right to relief under a good system of Poor Laws. Their real design was that which they avowed, and which I believe they have in a great measure accomplished, namely, to cure the abuses which had crept into the administration of the Poor Law prior to 1834; abuses which have been truly described as not more injurious to property itself than to

the real interests of the poor, which the law was intended to promote. The hon. Gentleman had also stated that the Act of 1834 had been productive of innumerable evils. He said, that before the House passed that law the poor of this country were a loyal, obedient, peaceful and well-conditioned body of people; that there was no want, no riots, as in 1835—no rick-burnings, no agricultural labourers with 8*s*. a week; and, but for that law, there would have been none of the working classes now suffering the punishment of transportation for those riotous proceedings which it was found necessary to put down by the strong arm of the law. The hon. Gentleman has been accused of ignorance in the course of this debate; and I must say that, judging from his speech, he does seem to have taken a very cursory and superficial view of the subject, and that his reading seems to have been principally directed to the ephemeral pamphlets of the day; and that he has not, in fact, fully looked back to the real state of the law on which he professed to speak. The hon. Gentleman has spoken of the multiplication of gaols and gaol deliveries as the effects of the law of 1834. I thought it was admitted that the enlargement of our gaols and the increased number of gaol deliveries were two manifest improvements, and that every one rejoiced that attention had been called to those subjects. Surely the hon. Gentleman will not say that, because, by the enlargement and improvement of our prisons, they have been made more healthy and better adapted to an efficient system of penal discipline, and by the increase of gaol deliveries justice is more speedily administered, any subject of complaint exists, or any injury is done to the poor. But the hon. Gentleman would pull down our prisons, as well as repeal the Poor Law, and believes that by restoring the old Poor Law he would empty the gaols and produce a happy and contented people. Now, I need not refer to the state of things which took place under the old Poor Law; they must still be fresh in the recollection of the House. No one who knows anything of the subject can doubt that the effect was to confound the industrious and the idle, to pauperize and demoralise the people, and to reduce them to a state of dependence. The object of the Bill of 1834 was to correct these evils. The hon. and learned Gentleman opposite (Mr. Bankes), has truly stated, that we have not now to consider whether the law of 1834 should be repealed. To the repeal of that Bill the hon. and learned Gentleman would himself object. He began by saying, that he did think that a central authority was essential; but I do not exactly understand what the nature of that control is which he considers essential. In moving for leave to bring in the Bill now before the House, I stated that the Government felt that the reasons which in 1834 led Government to propose to Parliament to establish a body with a central power, remain in full force. But the hon. Gentleman opposite (Mr. Bankes) says that he objects to vesting such powers in Commissioners, and that whatever alterations or regulations they may wish to propose in the administration of the Poor Law, should have the sanction of Parliament. Now, I wish to know whether the hon. Gentleman really means that the Commissioners should be obliged in every instance where they may find it necessary, to adapt the general regulations under the Poor Law to the peculiar circumstances of particular localities? we shall be obliged to introduce a Bill to enable them to do so. Or does the hon. Gentleman ask for absolute uniformity? In introducing this Bill, I said that there should be a central control; and on that point the hon. Gentleman concurred with me. Now, I thought that the great advantage to be derived from this central control was, that the persons in whom that control would be vested, would have discretionary powers to enable them, in cases which might arise from time to time, to alter the general rules, in order to suit the exigencies of particular localities. The hon. Gentleman, on the other hand, thinks that whenever any suspension or limitation of the general rules is required, a Minister of the Crown should come down to Parliament and propose a Bill applicable to some particular union or a variety of unions. I hope that the hon. Gentleman will, when he has some further opportunity, or that some hon. Gentleman who concurs in his opinion, will inform the House by what means, or by what machinery, he proposes to effect his plan. But the hon. Gentleman told us that his great opposition to this Bill is founded upon the amount of new patronage which it will create; and although he professed a desire to confine himself to the subject, his patriotism led him to speak of the Sanitary Bill and the Prisons Bill, both which measures he denounced as schemes merely for increasing

the power of the Crown by creating new patronage. Now, I wish to know how this Bill will create any new patronage? It does not propose to give employment to any more Commissioners than are at present actually employed under the Government; and, in fact, in a pecuniary point of view, the expense of those Commissioners will be less under this Bill than they are at present. The hon. Gentleman talked a good deal about the Sanitary Bill; but I will, at present, refrain from replying to his arguments on that Bill, because that question is not now under the consideration of the House. I will, however, ask whether the hon. Gentleman wishes the people to continue in filth and fever, rather than see some new officers appointed who will superintend measures essential for promoting the health of towns? The hon. Gentleman has also spoken of the Prisons Bill, and the number of inspectorships to be created under it; but he is not aware that there will be a substitute of one officer for another, and that the proposed Commissioner will take the place of a superintendent of convicts, whose office was prospectively abolished by an Act of last year. The hon. Gentleman said that he thought the Constitution was in danger, in consequence of the proposal of this Bill to have two placemen in the House; but I will remind the hon. Gentleman that, within the last few years, five or six placemen have been excluded from Parliament, so that the contemplated increase of placemen in the House cannot be quite so dangerous to the Constitution as he imagined. Not many years ago there was one Lord of the Admiralty struck off the list, and the Lieutenant General of the Ordnance. The office of Paymaster of the Forces now combined those offices formerly held by three distinct individuals—namely, the Paymaster General of the Navy, the Treasurer of the Navy, and the Treasurer of the Ordnance. The office of Judge of the Admiralty Court has also been abolished. I want, then, to see how far the hon. and learned Gentleman agrees with me. He agrees with me in supporting the Act of 1834; he agrees with me that we ought to have a central authority; he also agrees with me that that central authority ought to be represented in this House. I am perfectly astonished that the hon. and learned Gentleman does not support the Bill, in place of joining with the hon. Member for Knaresborough in opposing it. But the hon. and learned Gentleman says that the central authority should not have the power of making laws. The hon. and learned Gentleman has alluded to the Prisons Act, which gives a distinct power to the visiting justices of making rules and regulations for the government of prisons, subject to the approbation of the Secretary of State. Now, this power, which the hon. Member for Knaresborough has denounced as monstrous and unconstitutional, which he has pledged all his legal acumen and knowledge to prove—this power was possessed by the hon. and learned Gentleman (Mr. Bankes), as one of the visiting justices of Dorchester gaol, and was exercised by him on every occasion, when the prison regulations were under the consideration of the justices. [Mr. BANKES here intimated his dissent.] The hon. Member shakes his head; but I assure him that such is the case. I maintain that Parliament has the power to delegate its authority for the purpose of making rules and regulations, and that, in the case of the Poor Law, it is utterly impossible to dispense with such a power without a code of such stringent rules as would render it utterly impossible to carry the law into effect. With reference to giving seats in Parliament to the President and one of the Secretaries of the proposed Board, I can only repeat what I stated upon a former occasion, that when the Act of 1834 was passed, His Majesty's Government felt that the persons to be entrusted with discretionary power to carry this Act into effect should be kept aloof from all party conflicts and popular influence. I stated, however, that experience had proved the inconvenience of this arrangement, and that the removal of the Poor Law Commissioners from the influence of popular opinion had a bad effect upon them, as well as interfered with that direct responsible discretion which in the case of the Ministers of the Crown was found so beneficial. I also stated that I felt strongly that the law suffered from not having a member of the Board in Parliament ready and able to answer any charges with respect to its maladministration, and to give, if not a satisfactory, at least a full explanation of all their proceedings. The Poor Law Commissioners have often suffered much from not being able personally to vindicate their conduct in Parliament; and therefore it is that Her Majesty's Government have proposed that there should be an immediate personal responsibility in this House on the part of those who are to administer the law. The

hon. Member for Dorsetshire has made many objections to the measure; but what does he propose to substitute for it? He has omitted to define what kind of superintendence it is which he would consider more satisfactory than the system proposed by the Bill. As he admits the principle, however, his objection is surely one rather for the Committee than the second reading. There remains only one objection—that this Bill is introduced so late in the Session. But it is really no very common thing to hear the 17th of May spoken of as being so late in the Session; and if the hon. Member will consider how the last three months have been occupied—especially with respect to the measures relating to Irelend—I think he will see how impossible it would have been to introduce the measure sooner with any chance of getting forward. But at the close of his speech the hon. Member forgot his objection about the lateness of the Session, for he called on us to withdraw this Bill, and said there would be plenty of time to introduce a new one; so that the hon. Member is not really of opinion that it is too late. I would beg to remind him also, that within two days of the opening of the Session, my noble Friend at the head of the Government stated fully what the new measure was intended to be, so that there has been ample time to consider its principle. With respect to what has been said as to the Andover Committee, it does not appear to me that the present is the proper time to go into that subject; but at the same time I do not find in the report of that Committee one word of objection to the principle of the measure of 1834, nor do I find anything there to justify what the hon. Member for Knaresborough has said of it. In conclusion, I have only to state my acquiescence in the sentiments expressed by the hon. and learned Member for Bath, that there is on the part both of the Government and this House a wish to act with fairness and equity towards the poor, and a desire to promote that which is likely to be most conducive to their interests—an object which I think would be best attained by an adherence to the measure of 1834. I must, add, with reference to the Government pledging itself to exclude from office, under the Bills, certain individuals, such a course would be highly improper, and one which no Government worthy of the confidence of the House would ever think of taking.

Colonel SIBTHORP joined in the opposition of his hon. Friends to this Bill, as he considered a change in name of the persons concerned did not also constitute a change in the character of the former Bill; and instead of being a boon to the working classes, he believed it would only be the perpetuation of an injury to them. The new Bill was one for the purpose of creating patronage; and it added to the public expenditure, though both patronage and expense had been denied. There was to be an individual called a President; but there was no hint as to the amount of salary he was to have. Then there were to be inspectors; but neither the number nor the cost was stated: but he supposed that would be as the Government pleased, both as to pay and to number. He protested against a Bill which gave a power of centralization, and placed its working in the hands of persons who had no local knowledge of the situation, wants, or character of the poor in the different districts. The relief of the poor ought to be in the hands of the local authorities, who had the best means of knowing the deserving and the undeserving. The poor would have greater confidence in seeking relief, and those who supplied the funds for that relief would be better satisfied. If the hon. Member for Knaresborough—a Gentleman who, without flattery, he believed had a better knowledge of the feelings and condition of the poor than any other Member of that House—thought it his duty to divide on the question, he should vote with him. This was a Bill got up at the last moment of the Session—one of those *ad captandum* measures, such as the Health of Towns Bill—for the purpose of enabling the right hon. Gentlemen opposite to say, "See what a humane Government we are; see how anxious we are to help the poor." He did not believe sympathy for the condition of the poor was the object of the Government in introducing this Bill. "Conscience makes cowards of us all," it was true; but there were times when conscience fell asleep, and he thought most often on the Treasury benches. On these grounds he doubted the honesty of the Government, and thought the Bill was pumped up to create patronage, and to satisfy the longing expectancy of some of their friends. He opposed the Bill because it created new Commissioners; and he hated the very name of Commissioners, unless they worked without pay; and because it was brought in so late; for it was late, notwithstanding the remarks of the Home Secretary, in the

Session. The Government were anxious to bring in Bills at the end of a Session, in order that when hon. Members were tired out, they might be smuggled in without opposition. It was a mere farce, and he would not support such a proceeding. It was his intention to vote for the Amendment proposed by the hon. Member for Knaresborough.

Debate adjourned.

SEDUCTION AND PROSTITUTION.

MR. SPOONER moved that the Seduction and Prostitution Suppression Bill be read a first time.

MR. C. BERKELEY moved that the House do now adjourn.

COLONEL SIBTHORP suggested that the hon. Member (Mr. Spooner) would attain his object by introducing a clause in the Health of Towns Bill.

House divided on the question that the House do now adjourn:—Ayes 7; Noes 60: Majority 53.

List of the AYES.

Arkwright, G.	Sibthorp, Col.
Escott, B.	Williams, W.
Lowther, hon. Col.	TELLERS.
Mostyn, hon. E. M. L.	Berkeley, C.
Pechell, Capt.	Duncombe, T.

List of the NOES.

Acland, Sir T. D.	Hope, Sir J.
Arundel and Surrey, Earl of	Ingestre, Visct.
Bankes, G.	Inglis, Sir R. H.
Blackstone, W. S.	Jolliffe, Sir W. G. H.
Bodkin, W. H.	Lincoln, Earl of
Borthwick, P.	Lockhart, A. E.
Brotherton, J.	Mackenzie, W. F.
Bruce, C. L. C.	M'Neill, D.
Buller, C.	Mangles, R. D.
Clerk, rt. hon. Sir G.	Masterman, J.
Craig, W. G.	Maule, rt. hon. F.
Cripps, W.	Milnes, R. M.
Dickinson, F. H.	Mitchell, T. A.
Drummond, H. H.	Mure, Col.
Duckworth, Sir J. T. B.	Newdegate, C. N.
Duncan, G.	Oswald, A.
Dundas, Adm.	Palmerston, Visct.
Evans, W.	Rashleigh, W.
Finch, G.	Rice, E. R.
Floyer, J.	Russell, Lord J.
Forbes, W.	Rutherfurd, A.
Frewen, C. H.	Sheridan, R. B.
Gill, T.	Smollett. A.
Gladstone, Capt.	Somerville, Sir W. M.
Graham, rt. hon. Sir J.	Spooner, R.
Greene, T.	Sutton, hon. H. M.
Grey, rt. hon. Sir G.	Talbot, C. R. M.
Grosvenor, Lord R.	Trotter, J.
Hallyburton, Ld. J. F. G.	Wortley, hon. J. S.
Hawes, B.	TELLERS.
Henley, J. W.	Neville, R.
	Parker, J.

Question again put.

MR. DUNCOMBE moved that the debate be adjourned.

The House again divided:—Ayes 7; Noes 58: Majority 51.

List of the AYES.

Arkwright, G.	Sibthorp, Col.
Escott, B.	Williams, W.
Lowther, hon. Col.	TELLERS.
Mostyn, hon. E. M. L.	Berkeley, C.
Pechell, Capt.	Duncombe, T.

List of the NOES.

Acland, Sir T. D.	Ingestre, Visct.
Arundel and Surrey, Earl of	Inglis, Sir R. H.
Bankes, G.	Jolliffe, Sir W. G. H.
Blackstone, W. S.	Lincoln, Earl of
Bodkin, W. H.	Lockhart, W.
Brotherton, J.	Mackenzie, W. F.
Bruce, C. L. C.	M'Neill, D.
Buller, C.	Mangles, R. D.
Clerk, rt. hon. Sir G.	Masterman, J.
Craig, W. G.	Maule, rt. hon. F.
Cripps, W.	Milnes, R. M.
Dickinson, F. H.	Mitchell, T. A.
Drummond, H. H.	Mure, Col.
Duckworth, Sir J. T. B.	Neville, R.
Duncan, G.	Newdegate, C. N.
Dundas, Adm.	Oswald, A.
Evans, W.	Palmerston, Visct.
Finch, G.	Parker, J.
Floyer, J.	Rashleigh, W.
Forbes, W.	Russell, Lord J.
Frewen, C. H.	Rutherfurd, A.
Gill, T.	Sheridan, R. B.
Gladstone, Capt.	Smollett, A.
Greene, T.	Somerville, Sir W. M.
Grey, rt. hon. Sir G.	Sutton, hon. H. M.
Grosvenor, Lord R.	Talbot, C. R. M.
Hallyburton, Ld. J. F. G.	Trotter, J.
Hawes, B.	Wortley, hon. J. S.
Henley, J. W.	TELLERS.
Hope, Sir J.	Borthwick, P.
	Spooner, R.

COLONEL SIBTHORP recommended the hon. Member to leave this measure in the hands of the Government, and moved that it be read a first time that day six months.

MR. NEWDEGATE said, if hon. Gentlemen did not object to the principle of the Bill, they ought to wait for Committee to test its details. He had heard no objection to its principle; therefore he was at a loss to know why these repeated adjournments were moved.

SIR G. GREY recommended that the Bill should be read a first time, as this was not even the time for testing its principle.

Mr. C. BERKELEY said, he should at that hour of the night oppose the Motion, and move that the House do now adjourn.

MR. FORBES hoped the hon. Member would not persist in his opposition to the first reading of the Bill. Government had consented to its introduction, and the

feeling of the country was in favour of it. He trusted that out of common courtesy to the hon. Member for Birmingham, the hon. Gentleman (Mr. C. Berkeley) would withdraw his Amendment.

The House again divided on the question of adjournment:—Ayes 6; Noes 51: Majority 45.

List of the AYES.

Escott, B.	Williams, W.
Lowther, hon. Col.	
Mostyn, hon. E. M. L.	TELLERS.
Pechell, Capt.	Berkeley, C.
Sibthorp, Col.	Duncombe, T.

List of the NOES.

Acland, Sir T. D.	Hope, Sir J.
Arundel and Surrey, Earl of	Ingestre, Visct.
Bankes, G.	Inglis, Sir R. H.
Blackstone, W. S.	Jolliffe, Sir W. G. H.
Bodkin, W. H.	Lincoln, Earl of
Borthwick, P.	Lockhart, A. E.
Buller, C.	Mackenzie, W. F.
Craig, W. G.	M'Neill, D.
Cripps, W.	Mangles, R. D.
Dickinson, F. H.	Masterman, J.
Drummond, H. H.	Milnes, R. M.
Duckworth, Sir J. T. B.	Neville, R.
Duncan, G.	Newdegate, C. N.
Dundas, Adm.	Oswald, A.
Evans, W.	Palmerston, Visct.
Finch, G.	Parker, J.
Floyer, J.	Rashleigh, W.
Forbes, W.	Rutherfurd, A.
Frewen, C. H.	Sheridan, R. B.
Gill, T.	Smollett, A.
Gladstone, Capt.	Somerville, Sir W. M.
Greene, T.	Talbot, C. R. M.
Grey, rt. hon. Sir G.	Trotter, J.
Grosvenor, Lord R.	Wortley, hon. J. S.
Hallyburton, Ld. J. F. G.	TELLERS.
Hawes, B.	Brotherton, J.
Henley, J. W.	Spooner, R.

Finally the debate was adjourned till Friday.

House adjourned at a quarter to Two o'clock.

HOUSE OF LORDS,

Tuesday, May 18, 1847.

MINUTES.] PUBLIC BILLS. — 1ª Towns Improvement Clauses; Lunatic Asylums (Ireland); Turnpike Roads (Ireland).

2ª County Buildings; Drainage of Lands.

3ª and passed:—Poor Relief (Ireland).

PETITIONS PRESENTED. By Lord Brougham, from Macclesfield, in favour of the Factories Bill; and from several Dissenting Congregations in London, against the proposed Government Plan of Education.—By the Earl of Wicklow, from Guardians of the Londonderry Union, that the Poor Removal (England and Scotland) Bill may, with certain Modifications, be extended to Ireland.

THE ARMY SERVICE BILL.

On the Order of the Day for the recommitment of the Bill being read,

EARL GREY moved, "That the House do now resolve itself into such Committee."

The MARQUESS of LONDONDERRY said, he hoped he might be permitted to occupy a small portion of their Lordships' time on this most important military measure; and he craved with confidence their indulgent permission, because the noble Earl who introduced the measure had done him the honour in his unavoidable absence to animadvert upon and answer some points in his former address; and although he was sensible of that noble Earl's condescension, yet he thought the speech of a noble Earl (the Earl of Cardigan) on the same evening, and who was present on the last occasion, would have been far higher game for the noble Lord to have grappled with, inasmuch as it was a far better speech than his, and the noble Lord's antagonist would have been before him. However, as the speech of the noble Earl deserved every respect on his part, and as still further a most unexpected, and he must candidly say rather complicated, speech of his illustrious friend the noble Duke (the Duke of Wellington) had been delivered in that House since he presumed to raise his voice against this Bill, he now ventured to address their Lordships. The noble Earl had said, that he (the Marquess of Londonderry) considered the Bill as apart from the measures adopted in former years, whereas it was the continuation of a course of policy long pursued. He certainly to that pleaded guilty, and admitted that he had argued the Bill on the limited service alone. He did not refer to or go into all the improvements of our military interior details for twenty-five years, which the noble Earl had no more to do with than the child unborn. But he denied that he had asserted it was great presumption for Her Majesty's Government, who had not seen any service, and as civilians, to take up the subject of improvement of the Army. But he did say, that in their alterations they should be fortified by, and should have received, the advice of general officers of high service, rank, and talent in the Army. For that reason he had moved, as Mr. Yorke did in 1806, for the opinions of such general officers. The noble Earl was certainly right in stating that the Government could command such; but if he had received them, and they were favourable to his plan, would he not have produced them? The noble Earl, however, gave his answer to his own observations,

for would he deny that if he had not at the last squeezed out the military opinion and vote at least of the Duke of Wellington, he would never have carried his Bill? And did not their Lordships (as the country and Army he was sure would admit) agree with him that without that great professional vote, which greatly neutralized every other military opinion, the Bill would have been lost? The drift of his (the Marquess of Londonderry's) argument, according to the noble Earl's opinion, was, that there should be no interference with the present system, but to let well alone, at least as to the introduction of limited service; but undoubtedly he did not mean to disapprove of any wise regulations and improvements the Commander-in-Chief of the Army and the Government might think proper to recommend. But he wanted the sentiments of the Army authorities on these monstrous innovations. He desired to have the opinions of our illustrious field-marshals, the heads of the Army, and general officers; knowing that if the Army was consulted, the very large majority, ay nine-tenths, would be against this new plan. The noble Lord, then, with much eloquence, seemed to have admitted the prowess of our arms under our invincible leader, and then he launched into a most eloquent harangue as to the deeds of his predecessors for twenty-five or thirty years, and told them of regimental savings-banks—the change as to corporal punishment—the powers of general courts-martial restricted—imprisonment substituted for the lash—comforts for the soldier's condition in barracks—health of troops on their colonial service, and supply of provisions—great encouragement for good soldiers under Mr. Sidney Herbert's Bill of 1843—regimental schools, &c. The practical effects of all these improvements the noble Earl most forcibly and most eloquently enumerated. But what had they to do with the actual measure of limited service, which had been tried over and over again, and had always failed? and the noble Lord did not, in all this beautiful statement, touch the question before the House. It really was like a quack doctor, who was called in by chance, and gave a little white powder, and then launched into all the benefits of the remedy, and took credit for the scientific system of years previously pursued by the regularly bred faculty. The noble Earl then entered into some not very complimentary observations to commanding officers of regiments, on which, differing with him *in toto*, he was not inclined to say all he thought. He stated that the indirect effect of the ten years' enlistment system on the commanding officers would be highly beneficial; for, when they knew, at the end of ten years, the soldier had the power, if he thought fit, to leave his regiment, they would study much more than they now did the comfort and welfare of the soldiers, and endeavour to make them more happy in their ranks. With great respect to the noble Earl, he would tell him, as an old commanding officer, that he never was more mistaken in his life, both as to the conduct and character of the majority of commanding officers of Her Majesty's Army. Then, concluding his speech, the noble Lord called on their Lordships to adopt the Limited Service Bill, without saying one single word as to its effects on the discipline, or the feelings, the jealousies, the injustice, between the old soldiers and the new, which it entailed on the Army. He now came to a much more extraordinary matter, and attended by more important consequences, than the noble Earl's able and long oration to their Lordships. Had his noble and illustrious Friend given his opinion, or rather intimated his vote, at an early stage, it was more than probable that his great devotion and respect for his illustrious Commander would have enforced his silence. With the greatest possible attention he had read over and over again that speech, and he could only say, as an old soldier, that he cordially embraced what he understood to be the sentiments of the speech; but he deplored the vote. To presume to characterize that speech was not his province. He must leave it in the hands of the noble and learned Lord, and the able leader of Her Majesty's Opposition. But he thought he could confidently assert, that the noble Earl opposite could not be very well satisfied with the speech, though he might hug himself most lovingly as to the vote; while he (the Marquess of Londonderry), on his part, deplored the vote, and was satisfied that the Army should construe the opinions in that now celebrated speech as they thought proper. He might, however, now be permitted to observe upon the construction of that speech, and that of the right hon. Secretary at War, both advocating this same Bill now before their Lordships. He thought the Secretary at War followed up his opinions by saying—"What an excellent rural force these men of ten years would make hereafter, by acting when they

received their reserved pensions, if necessary, behind walls and houses." Possibly the right hon. Gentleman was thinking of a French invasion, and conveying these his new experimental levies hereafter over the border. But to return to the Bill, and nothing but the Bill—his objections to it were in a few words, and so strong in his mind, that no Amendment, he thought, could avert the evil. It was injurious to discipline. They placed two men alongside each other in the same rank and service in a totally different position. The old men might be termed the Sepoys of the Army; the limited men the experimental levies. There was evident prejudice to the old soldier. There was a mere chance or surmise if by re-enlistment after ten years they would get the old soldiers to remain or not. They might lose a large number of them at a moment the Army's service might be most required. They gave to the new soldier a right of discharge when he had voluntarily enlisted under the present Mutiny Act, which should alone be held and exercised by the commanding officer and Commander-in-Chief. As to arguing dissatisfaction of the men and desertions from the unlimited service, it was clear from returns on the Table they did not exist. In seven years there were only 2,000 for limited service, and in the same period 22,000 unlimited. Much more might be said. It was understood that in the event of the Duke's support, there would be an increase of pensions to the present Army; but he yet feared that Her Majesty's Government had no intention whatever of raising the pensions. It had been argued by the promoters of the measure that they would obtain a better description of men. Where were they to come from? Did they want them morally or physically better? Look at the Household Brigade, the finest troops in Europe. Compare those men with any others, where would be found a better description? This idea, therefore, was a perfect fallacy. He could not help, however, remarking, that even in this measure the noble Duke admitted, that though he was willing to give it a trial, yet that it was an experiment. They knew, as a matter of history now, that they had been and were blessed with a Government of "all the talents." He thought that they were now about to be again blessed with one of "all the experiments." They had experiments in Irish Poor Laws, in finance, in railways, and, last and worst of all, in Army services—worst, because it was an old experiment that had over and over again failed. But, if this measure was to be carried, he could not help bitterly lamenting, and all the Army, who opposed the measure, would deplore, that it had been so unfairly treated, and so strangely, if not cunningly, carried. In the House of Commons it was always introduced very late in the evening, if not towards the morning; at no time were there more than 140 Members in the House, and they were mostly Government placemen, and the division was not above forty or fifty strong. The Bill was then sent up to their Lordships; and he could not but with all due respect remark, that in spite of the noble Duke's vote assisting the Government, the Bill was carried at the second reading by a very small majority; constituted of the votes of a certain light political section, who came to the rescue of the Government, although not one of them was pleased, any more than their great political head, to give the House any reasons which, he owned, he had expected from it; and also by the aid of certain prelates—the right rev. the Bishop of St. Asaph, the right rev. the Bishop of Worcester, the right rev. the Bishop of Salisbury; and, he lamented personally to add, the Lord Bishop of Durham. To these rev. personages then, and to the section he had adverted to, let it be observed, the Army owed this revolution. He hoped the right rev. Prelates would even now give them the opinion of their military friends whom they met after their vote upon this measure; for it was quite clear they must have been advised and directed by them, as he was sure none of the right rev. Bench would stand up in their places and admit they knew anything, or ever did know anything, of a soldier, of his discipline in camp, quarters, or in the field, or of his feelings as to the service in which he was engaged. The noble Marquess concluded by moving to leave out "now," and insert "this day six months."

The Earl of CARDIGAN confessed that it was very painful to him to offer any opposition to a Bill connected with the Army which had received the support of the noble Duke; and he would have felt greater pain were it not that he recollected the very qualified support which the noble Duke gave to it in his speech. One of the avowed objects was to enlist into the Army a superior class of recruits, and yet the noble Duke did not consider that such would be its result; whilst the other object

was to make the Army more popular; but, considering the recent increase in the Army, and the readiness with which the ranks were filled, their Lordships would not suppose that the Army as it existed was an unpopular force. It must be remembered that the British Army, unlike other armies, was dispersed all over the world, and he could not see how the Bill could be carried out when the term of service expired; certainly, it could not be accomplished without great expense, and certainly not without great inconvenience. When the Bill was in force, the changes in colonies must be more frequent than at present; this would involve great expense, and it was the duty of Parliament to consider whether such an expenditure was proper or necessary. Was the battalion to which the men belonged to lose its term of colonial service? If so, it would create the greatest possible confusion; and if their places were to be filled by draughts from other regiments, it would destroy the *esprit de corps*. With regard to the pensions, there was no doubt that the addition of 2*d*. to the 6*d*. would be considered a boon to the Army; and if the Government were anxious to make the Army still more popular than at present, they would give fair rewards for services, and enable the soldiers to settle down afterwards. He thought it desirable to tie the men down to good conduct by the interest they felt in their pensions. But if they dispersed a discontented military body over the country, they would find it formidable for mischief, and an assemblage formed from them would be more difficult to deal with than the ordinary population. He thought that all the advantages of the proposed plan, without its manifold disadvantages, might have been attained by effecting improvements in the condition of the soldier. At all events, if a limit were resolved upon, he thought the first period should be longer, say fourteen years, and the second shorter, say seven years. At the end of the first period the soldier would have arrived at a time of life which admirably adapted him for pursuing his profession; and were good encouragement offered, his belief was that in the majority of cases the soldier would re-enlist. As to the officers, the great majority were opposed to the Bill—he believed that, generally speaking, the officers looked upon it as a dangerous and visionary measure. He did not presume to think that his opinion would have the slightest weight with their Lordships. He was well aware that as a military man he had not seen much active service; and, after a period of thirty years of peace, few officers, comparatively speaking, could bring the experience which was gained in a time of war to bear upon such a question. But let the weight be what it might which was attached to his opinions, they were the honest opinions of a Member of their Lordships' House, and of one who had sincerely at heart the welfare of that profession to which he had the honour to belong.

EARL GREY said, that as he did not understand that the noble Marquess or the noble Earl who had addressed their Lordships in opposition to the Bill, intended to oppose it in a substantive manner, he would not occupy time in repeating arguments in reply which had already been addressed to their Lordships. Instead, therefore, of repeating any argument which had been previously used, he would mention one fact which had come to his knowledge since the measure had been discussed. There was now serving a gallant officer, who, in consequence of his good conduct as a private and a non-commissioned officer, had received a commission without purchase; and his opinion having been asked of the proposed measure, his answer was, "All that I can say is, I have been all my life in the Army, but I never enlisted for life; I was a seven years' man."

VISCOUNT COMBERMERE said, that this was only a solitary instance out of 82,000; and he disapproved of the Bill.

Amendment withdrawn.

House in Committee.

On Clause 1 being read,

The EARL of LUCAN moved, as an Amendment, that twelve years' service be substituted for ten years in the infantry, and fourteen years for twelve in the cavalry, artillery, or other ordnance corps. It might appear a small matter to propose an increase of two years to the period of service; but, in his opinion, it was of great importance. The last two years of a twelve years' service were the most valuable portion of the whole period. In making this proposition, he disclaimed on his part, and he thought he might do so on the part of the officers of the military profession generally, being actuated by any party spirit whatever. The principle of the Bill having been adopted by the House of Commons, and by their Lordships, all he now sought was to make the measure as little mischievous as possible. He entreated their Lordships, that while passing this

Bill they would not deprive the country of the services of the old soldier, whose continuance in the Army was absolutely necessary to its very existence.

EARL GREY observed, that those noble Lords who did him the honour to listen to the speech he delivered on moving the second reading of this Bill, would recollect that he declared it to be his wish that such a system should be introduced into the Army as should make the being discharged from the service considered not as a reward, but as a punishment. That was the main object and scope of the whole Bill. He wished it to be considered a reward of merit to be allowed to continue in the Army, rather than a punishment to be retained in it. This principle, he conceived, applied to the Amendment now proposed by the noble Earl. When a man had served for a period of ten years, and had not proved to be a good soldier, it was perfectly just that the commanding officer should have it in his power to say to such a man—"I will not allow you to continue with us. The bargain was for ten years. It is at an end; you may go and seek a livelihood somewhere else." This to a man who had only served ten years, while it was just, would not be severe, because it might be fairly presumed that he would then be in the prime of life, and capable of getting a livelihood in some other occupation. But it would be a very different thing if the period of service were to be prolonged, and the man were to be retained in the Army to a time of life when he would not be qualified to provide for himself in any other pursuit. If they were to adopt this measure at all, he did not see any advantage that was to be derived from the Amendment of the noble Earl. If they were to try the experiment of limited enlistment, let them try it fairly, as he believed it would be under this measure.

VISCOUNT COMBERMERE was in favour of the Amendment. At the end of ten years a man might be turned adrift without good reason; and, if he had a wife and children, they would be looked upon as an encumbrance. What would become of a man in such circumstances as that, without a pension, and, in all probability, without any means of supporting himself?

The DUKE of WELLINGTON said: I shall confine myself to the Amendment of the noble Earl, because on a former occasion I stated my reasons for thinking that your Lordships might safely adopt the principles of this Bill, and that there is every reason to believe that you will retain the old soldiers in the Army under the Bill as it stands. I stated my reasons on that occasion, and I only revert to them now to state that they have not been at all shaken by what has passed during this debate. My opinion is, that the advantages held out to soldiers by the warrants issued by Her Majesty and the late Sovereign, which ensured good conduct as far as it can be ensured by law, and which give to the soldiers that which is best for them—the habits of good conduct—more especially by the warrant recently issued, securing to a man at the end of his twenty or twenty-one years' service, together with the good-service money which he may have received during the twenty or twenty-one years, a pension amounting altogether to 1*s.* a day—that these advantages do give us every reason to believe that the services of the old soldiers will be retained with their regiments; and that being the case, I think that that which it is most desirable to retain will be retained for Her Majesty's service. I sincerely wish that this new state of things in the Army may enable Her Majesty's Government and the officers in command to make a discharge from the Army considered a punishment. That is a most desirable object—and this feeling does exist in two or three regiments. It exists, I believe, in the troops which are immediately about Her Majesty's person. I wish to see the same object attained in all parts of the service; and the system proposed by this Bill does, I think, give a prospect that it may be attained. Then the noble Earl comes and says that it may be attained by twelve years as well as ten; and another noble Lord, a noble Friend of mine, has another curiosity of his own—by which he thinks the same object may be attained. My Lords, there may be many modes by which it may be accomplished; but this is the mode proposed by Her Majesty's Government, and adopted by the other House of Parliament, and therefore I recommend your Lordships to adhere to the mode proposed in the Bill now before you. I do not think the noble Lord has made out any case for his proposition; I beg your Lordships to keep that object steadily in your view, the object of retaining the old soldiers in your service during the whole time that they are capable of rendering service, that is, until they are forty years of age, and my opinion is that that may be attained as well with ten as twelve years. Make dismissal a serious punishment, and

in the meantime retain the services of the old soldiers as long as you can. I confess that I do not understand exactly the meaning of the noble Earl when he speaks of the object to be attained by allowing commanding officers to get rid of bad soldiers at the end of their term of service; for they may be got rid of as easily at ten as at twelve years. But, my Lords, I do not want to get rid of the services of any men; and my opinion is for the adoption of the measure proposed by Her Majesty's Government, believing that in the allowance for good service, and in the pension of 1*s.* per day, the great object which I have stated will be attained, There is only one other point to which I will refer relating to the question at large, I mean the difficulty and inconvenience of providing for the relief of troops under the Bill as it stands; but I entreat your Lordships to remember, throughout the consideration of this question, that the law of this country has invariably enabled the Government to raise men for seven, fourteen, or twenty-one years' service; it has always been in the power of the Government to order an enlistment for any period; and the person filling the office which I have the honour to hold must have obeyed the order. Now, as to the inconvenience and difficulty attending the relief of troops, the Government is perfectly aware that it is bound to provide for the removal of all, and for the relief of troops at the proper period. In respect to climate, the noble Marquess appears to have forgotten that every regiment serving abroad has a depôt of men in this country, to fill up the places of those who are serving abroad; and it will, of course, be the business of the officers to take care that men are sent out regularly to fill up vacancies as they occur in the regiments abroad. Such an arrangement will undoubtedly entail expense, and the expense must be incurred; but if the service derives advantage from the system, for that expense the country will, in my opinion, be amply compensated. I see no reason, my Lords, for the Amendment proposed by the noble Earl. I do not think that the principles upon which the Bill rests have been at all shaken by this night's discussion; and I cannot, therefore, recommend your Lordships to adopt the Amendment.

LORD STANLEY: I have not the presumption to enter into discussion upon these points with the noble and gallant Duke; but he will forgive me for saying, that to a certain extent I think he has misunderstood the object and intention of the noble Earl who proposed the Amendment, and that he has also, in some degree, mis apprehended the effect and principle of the Bill as it stands. The noble Duke has stated truly, that if this Bill had not been introduced, it would be competent for Her Majesty's Government to introduce, by their own authority, the provisions of this Bill; and that, my Lords, is one of the reasons why I say that we need not and ought not to be called upon to interfere with the authority of Parliament in a matter for which the ordinary powers of the Executive Government are sufficient. Therefore, I am not in the least alarmed by the announcement which the noble Earl opposite has thought proper to make, that on the adoption of the Amendment of the noble Earl he should not feel it his duty to proceed further with the measure; and it is not an announcement which will, I think, alarm the military portion of those whom I have the honour to address. But when the noble Duke goes on to say that this Bill must be better than the present state of the law, because it is now competent to the Government to order the Commander-in-Chief to give directions for an enlistment for even a more limited period than the Bill proposes, I beg to remind your Lordships that that power of the Executive Government is not taken away by this Bill. This Bill does not prevent the enlistment for a shorter, but it does prevent the enlistment for a longer, period than ten years: it deprives the Government of the power of enlisting for fourteen or twenty-one years; but it does not deprive the Government of the power of doing that which the noble and gallant Duke would, I believe, condemn in common with every officer in the service and every Member of this House, of ordering an enlistment for a period shorter than ten years. It takes away the power of extending the enlistment, but it leaves the Government as competent to order an enlistment for seven years as they were previous to the passing of this Bill. The difficulty of dealing with this question would, I think, be greatly simplified, if we could be sure that we were all aiming at the same object. Now, my object is the same as that of the noble and gallant Duke, and of the noble Lords connected with the Army, who have opposed the Bill. We wish to retain the old soldiers in the Army at the expiration of their first period of service;

but I am not quite sure that the object of the noble Earl opposite is the same. I rather incline to think that he is not so anxious to secure that object as he is to carry into effect his own favourite project of veteran battalions, and to induce the old soldiers to quit their regiments for the purpose of entering the veteran battalions. My noble and gallant Friend has also misunderstood, if he will allow me to say so, what my noble Friend said about the power of the officers to get rid of bad men in the Army. What my noble Friend said was, that he would not oppose the principle of limited enlistment, because it had this redeeming quality, that in a given period of time, whether ten or twelve years, at the expiration of that time it would give the commanding officer the power to get rid of bad men. But my noble Friend advanced that argument, not on the question whether the period should be ten years or twelve years, but as a ground upon which he modified his objection to a period of limited enlistment, by stating that among the disadvantages to which this principle was liable, it had this redeeming advantage, that it would enable the commanding officer at the expiration of his period of service to get rid of a bad man. But, my Lords, the single question before you is this—you may retain the old soldiers under a system of ten years' enlistment: is it less likely or is it more likely that you will retain them under a system of twelve? The noble Earl opposite talks of the great hardship we shall inflict upon a man by throwing him out of the service at the expiration of a period when he has become unfitted for anything else; and he says, see what an advantage you will give to a man by enabling him to return to civil life after the expiration of ten years, so that he will be able to turn himself to other pursuits. Now, my Lords, the whole difference that there is between the clause and the Amendment is a difference of two years—the difference between a man at the age of twenty-eight, and the same man at the age of thirty. But the real question after all is, when is the soldier the most likely to re-enlist? I do not say that there will be any very great difference between the two periods; but I do say that the difference will in all probability be in favour of the first period being twelve years, and the second being nine; rather than that the first period should be ten years, and the second eleven. And for this simple reason, that at the expiration of ten years a soldier feels he has not got half through the period of the lengthened service, he thinks that he shall probably get tired of it before it is concluded, and, therefore, that he had better take the opportunity to leave the service while he can get it. Whereas, a man that has served for twelve years will feel that he has served through more than half the period which entitled him to the retiring pension; and that he has a comparatively short period to serve for his second. I hope that the noble Earl, after what passed here the other night, and after what has passed in the other House, will not persevere in his announcement, that upon the period we now fix for the first period of service will depend the soldier's pension. The soldier is equally entitled to that pension by a service of twenty-one years, whether that service has been served in periods of twelve and nine years, or in periods of ten and eleven. If the noble Earl should persevere in that, I must say that the Army and the country will have a right to regard this decision as founded not upon principle, but upon political, if not personal, feeling. I trust, that whatever may be your Lordships' decision, the soldier's pension will not be made to depend upon it. If the noble Earl (the Earl of Lucan) persists in his Motion, I shall certainly vote for it, though I am far from undervaluing the opinion which has been expressed by the noble and gallant Duke, that under the present Bill you may expect the re-enlistment of old soldiers; but looking to this—and this point was not touched by the noble and gallant Duke at all—that if you can reckon on their re-enlistment for a period of eleven at the end of ten years, you may with much more confidence and certainty reckon on their re-enlistment for nine at the end of twelve years.

The Committee then divided on the Amendment:—Contents 38: Non-Contents 30; Majority 8.

List of the CONTENTS.

DUKES.
Bedford
Norfolk
Wellington

MARQUESSES.
Anglesey
Headfort
Clanricarde

EARLS.
Auckland
Burlington
Camperdown
Chichester
Clarendon
Devon
Fingall
Fitzwilliam
Grey
Shaftesbury
Suffolk
Verulam
Zetland
Wicklow
Galloway

VISCOUNT.
Falkland

BISHOPS.
St. Asaph
Peterborough

BARONS.
Bruce
Byron
Camoys
Campbell
Cottenham
Erskine
Foley
Montfort
Monteagle of Brandon
Mostyn
Strafford
Leigh
Churchill
Beaumont

List of the NOT-CONTENTS.

DUKES.
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Cleveland
Newcastle

MARQUESS.
Downshire

EARLS.
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Cardigan
Desart
Hardwicke
Lucan
Mountcashel
Ranfurley
Rosse
Eglintoun
Longford
Romney
Ellenborough

VISCOUNT.
Combermere

BARONS.
Blaney
Bolton
Boston
Clancarty
Colchester
Colville
De Ros
Kenyon
Redesdale
Sondes
Southampton
Stanley
Forester

Paired off.

CONTENT.	NOT-CONTENT.
Earl of Malmesbury	Lord Wrottesley
Lord Willoughby D'Eresby	Earl of Leicester
Earl of Tankerville	Marquess of Conyngham
Earl Charleville	Earl of Granville
Earl of Orkney	Earl Fitzhardinge
Lord De l'Isle	Lord Crewe
Earl Orford	Lord Sefton
Duke of Richmond	Earl of Yarborough
Earl of Winchilsea	Earl Ducie
Lord Templemore	Marquess of Lansdowne
Viscount Lake	Bishop of Durham
Marquess of Ailsa	Bishop of Lincoln
Earl of Munster	Viscount Clifden
Lord Wynford	Lord Denman
Lord Heytesbury	Lord H. de Walden
Earl of Somers	Bishop of Hereford
Earl Digby	Lord Kinnaird
Earl Stradbrooke	Viscount Melbourne
Viscount Canterbury	Lord Beauvale
Duke of Manchester	Lord Colborne
Earl of Sheffield	Lord Glenelg
Marquess of Exeter	Lord Lilford
Earl Delawarr	Marq. of Northampton
Viscount Strangford	Earl Waldegrave
Earl of Eldon	Lord Sudeley
Lord Ashburton	Earl of Rosebery
Marquess of Ailesbury	Bishop of Salisbury
Duke of Montrose	Earl of Ripon
Marq. of Winchester	Marquess Camden
Earl of Kinnoul	Earl Morley
Earl Leven	Earl Spencer
Viscount Beresford	Earl of Effingham
Lord Saltown	Lord Vivian
Earl of Lonsdale	Lord Hatherton
Viscount Sydney	Marq. of Westminster
Lord Walsingham	Lord Wharncliffe

LORD DE ROS then moved the Amendment of which he had given notice :—

"That any soldier, at any period within one year previous to the completion of the term of limited service for which he shall have been first engaged, or, in the case of every regiment under orders for service, other than in Great Britain and Ireland, within two years previous to such completion, being approved as a fit person, &c., may (at any time) be re-engaged for the further term of six years and seven years ; and in like manner, within the like period, previous to the completion of such second engagement, for a further term of five years, whether in infantry, cavalry, or ordnance corps ; such further term or terms to date from the expiration of the first or second period of service, as the case may be."

The noble Lord made a few observations in support of his Amendment, which were inaudible.

EARL GREY observed, in reference to this Amendment, that it appeared to him there would be some advantage in not confining too closely the period within which a soldier might re-enlist in the Army. On the other hand, it had been pressed upon him that there would be considerable danger and much inconvenience in extending this period in the manner now proposed by the noble Lord. If, therefore, he (Lord De Ros) would limit the period to six months after the completion of the service, there would be no objection to an Amendment of this description.

LORD DE ROS was understood to assent to this proposition.

LORD STANLEY approved of the limitation, and suggested to the noble Earl (Earl Grey) the importance, in this case, of making some distinction between regiments on home and regiments on foreign service. If men belonging to a regiment ordered on foreign service sailed at a time which was within one year of the period when according to the terms of their enlistment they could claim their discharge, the result would be great expense to the country, and great mischief to the particular regiment, and he therefore put it to the noble Earl for his consideration, if it would not be advisable that power should be given to re-enlist the men in such a position previous to their sailing. The principle of re-enlistment would not be interfered with by such an arrangement; and in this way, it was indisputable, they might avoid the chance of losing the service of men in a foreign station. He suggested, as the noble Earl was determined not to extend the period for men in regiments on home service beyond six months, that in case of regiments ordered abroad the period should be twelve months, and that power be granted to re-enlist those soldiers whose

term of service would expire within one or two years.

Earl GREY would have no objection to adopt the suggestion made by the noble Lord. He thought, however, that the better way of obtaining the desired end would be to name no particular number of months, and to leave to soldiers under orders for foreign service the power to contract a new engagement.

Amendment agreed to.

On the Clause as amended being put,

The Earl of ELLENBOROUGH moved an Amendment. As the Bill stood, soldiers out of England could only be re-enlisted by the same persons who had power to enlist men under the Mutiny Act; that Act prohibited general officers and regimental officers from enlisting men; but abroad there would be many occasions when no qualified civilian could be found, or when it might be extremely inconvenient to interpose a civilian between the soldiers and the officers, particularly in India. It would be better to adopt the words of the Mutiny Act, adding, any person "duly appointed by Her Majesty, by any warrant signed by the Secretary at War," to attest and enlist soldiers for Her Majesty's service.

Earl GREY had no objection to the Amendment, which was inserted, and

The Clause was agreed to.

On Clause 4 being proposed,

The Earl of ELLENBOROUGH proposed to insert after the 4th Clause the following provisos:—

"Provided further, and be it enacted, that if, at the expiration of such first or second term of limited service, or of such term of prolonged service, any soldier entitled to his discharge, being on any foreign station, shall not be willing to re-engage or to continue in Her Majesty's service, or in the service of the East India Company, the commanding officer of the regiment in which he may be serving shall, as in the case of soldiers invalided, take the usual measures, with all convenient despatch, for the conveyance of such soldier to England, and on the arrival of such soldier in England he shall be finally discharged: provided always, that during such time as may elapse between the expiration of such terms of service as aforesaid, and his final discharge in England, such soldier shall remain subject to all the provisions of any Act which may be then in force for punishing mutiny and desertion, as fully as he may have been subject thereto before the expiration of such terms of service.

"Provided also, that if, at the expiration of any such first or second term of limited service, or of such term of prolonged service, any soldier being in any of Her Majesty's colonies shall claim his discharge, and shall signify to the governor of such colony, through the commanding officer of the regiment in which he may be serving, his desire to remain in such colony, it shall be lawful for such governor, if he shall think fit, with the consent of such commanding officer, to permit such soldier to remain therein; and thereupon such soldier shall be finally discharged, and shall not be entitled to claim to be conveyed to England at the public charge at any future period."

He said, his object was to take the time necessary for bringing home the soldier from a foreign station not out of his period of enlistment; but after that period had expired, and at the same time to keep the man under military discipline. In the West Indies and the Mediterranean stations there could be no difficulty in sending the man home at any time; but it was by no means so with regard to Australia, and more particularly the East Indies, and also to a certain extent in the case of regiments quartered in Canada. In order to insure a favourable passage, it was necessary that the soldier should not leave India before the 15th of November, or after the 15th of March. He would thus be sent from the distant stations so as to arrive in Calcutta by February, and reach England in July, though his time of service might not expire until the April following. In the case of Canada, also, there were certain periods of the year when the men could not be sent home, and he thought that in all these cases it was better that the loss of time should fall on the men than on the Government.

Earl GREY said, according to the term of his enlistment, a man would be discharged the day it terminated, at the place where his regiment happened to be at the time; and being so discharged, he would of course be conveyed home in the same manner as the men discharged as unfit for service. Soldiers engaged for ten years, must serve those ten years where they were wanted, and would continue to do duty with their regiment till the day of their discharge; if they accepted it, they would be conveyed home, unless they preferred settling in the country, which in some of the colonies might be the case. In those instances no inconvenience would arise. But a great inconvenience would be created by fixing by law a matter that should be regulated from time to time according to the necessities of the service; if they gave a right to the man to be conveyed home by the first convenient opportunity, they left it to the man to judge when that opportunity occurred: this might give rise to inconvenient differences between him and his officer. It would be better to let the law stand as it

was; he believed the conduct of the Government of this country to the soldier would always be fair and satisfactory.

The EARL of ELLENBOROUGH said, his object and that of the noble Earl were the same. The noble Earl wished to retain the men till the end of their term of service, and admitted they were to be sent home at the public charge. But the noble Earl confounded the position of the soldier who would be sent home under this Bill, with that of a soldier sent home under the present law. At present the man never ceased to be a soldier, and remained subject to martial law. A soldier discharged in India became immediately a free man; they could not prevent him from settling as a colonist, or even taking foreign service. The noble Earl did not know the danger of this in India; the colonization of India would be its separation; could they set free 200 or 300 soldiers in the city of Benares without danger? The noble Earl risked the creation of insurrection: he did not know the country for which he legislated; he entreated him to reconsider the subject maturely. He agreed that the time occupied by a man's return ought not to be taken out of his term of service; but he wished to give him a right by law to that which he was sure no Government would refuse; above all, he wished the noble Earl to consider the dangers that might arise from the colonization of India, from the insults that might be offered by the soldiers to the religion and prejudices of the natives of the country.

EARL GREY said, the number of soldiers discharged in India was exceedingly small. As he already stated that evening, it was not for all the colonies quite one per cent, and it was still less in India than elsewhere. The noble Earl must be well aware, that in India soldiers entitled to their discharge were all anxious to volunteer into other regiments, or into the East India Company's forces, to such an extent, that very serious complaints had ever been made by the East India Company at the large number of non-effective men that were thus allowed to remain in the service. He thought the provisions under the Bill as it stood were sufficient, and that it would be exceedingly dangerous to keep men under military law indefinitely, and at the same time give them a legal right of judging what would be the first convenient opportunity of sending them home.

The EARL of ELLENBOROUGH said, the noble Earl quite mistook the condition of soldiers in India, if he supposed that all were equally desirous of remaining there. The old Indian soldier certainly was in general anxious to remain; but it was different with the man who was but a short time in India, and was unaccustomed to the climate. It did not follow, because a man was ten years in the Army, that he might be more than half a year in India; and it should be borne in mind, that when this measure was in full operation, the number of men entitled to their discharge annually in India would be the eleventh or twelfth of the entire Army in the country. The number of men who would have to be marched down from the upper provinces every year to be sent home, would not be less than 700 or 800; and he would leave it to their Lordships to judge of the consequences of such a body passing through the country, and no longer subject to military control.

EARL GREY thought the absolute provision of the Act, by which the men might be detained two years above the term, would enable them to obviate any inconvenience. He hoped the noble Earl would not press his Amendment.

After a few words from LORD COMBERMERE in support of the Amendment.

LORD STANLEY thought, on a question of such importance he was justified in appealing to the noble Duke at the head of the Army, who was so well acquainted with India, for his opinion upon it. The object of all parties was the same. The question which thus had been brought under the notice of their Lordships amounted to this: were the troops which from time to time might be discharged in India, and in similar possessions of the British Crown, were they to be discharged, and at the moment of their discharge were they to be released from all military discipline or restraint? It appeared to him that, according to the Bill as it stood, they would not remain under military authority up to the time of their landing in this country; but, on the contrary, would be set free from all such restraints. He conceived, that until the discharged soldier could actually be landed in England, he ought to be continued on the strength of the Army, and he ought to receive pay and subsistence till he reached this country. The question before the House was one most important in its principle, and most important, also, in its probable consequences—so important that he begged the attention of the noble Duke to the subject; and he begged, in addition to

what he had already said, to ask the noble Duke if he thought it would be safe to send soldiers home, and place them on board ship, without placing them under any military authority or control? It might be thought that the noble and gallant Duke had already given his sanction to this part of the Bill; but he could not bring himself to believe this till he heard it from the noble Duke himself.

EARL GREY said, before the noble Duke answered the question, he wished to make a single remark. The question put by the noble Lord was not one that was likely to arise in practice, because it should be recollected that by the 4th Clause it was provided that the commanding officer could direct the service of the soldier to be prolonged, after the term should expire, to a period not exceeding two years, which was quite long enough to enable the Government to have the men sent home.

The DUKE of WELLINGTON said, he thought it would be exceedingly inconvenient to discharge soldiers in India, and not leave them under the control of military commanders. He conceived it would be most necessary that they should remain under the control of their usual commanders until they reached their proper port of embarkation; and, above all things, he deprecated soldiers being sent home on board ship without being kept, and continued under the direction and control of their usual commanders, or, at least, under some military discipline. No doubt, the men when they quitted the Army ought to be sent home; but there would be great inconvenience in their being set free from military restraint until they reached this country.

The Clause was understood to be postponed.

Remaining clauses agreed to, as were the schedule and the preamble of the Bill.

House resumed.

The following Protest was entered on the Journals of the House against the Army Service Bill :—

DISSENTIENT—

1. Because an attempt to introduce limited service was first proposed in 1713. The system, or plan, lasted two years, and was abandoned from its total failure. It was tried, however, again in 1775, and continued to the end of the war, but was unsuccessful in its operations during the American war. In later periods—in 1806—it was resorted to in another form of periods of limited service; but signally and completely disappointed the expectations that were formed of the measure to obtain more recruits and a better class of men; and in the midst of the war in the Peninsula much inconvenience and disorder might have arisen but for the foresight and precaution of the Great Commander—the limited service men being then his best troops, who had served seven or eight years, and who had a right to their discharge; and had not very large bounties been given they might have been lost to the Army, and their loss would have been most fatal.

2. Because whilst it is most desirable to adopt every possible measure for improving the comforts, and the social and the moral conditions of our soldiers, it is highly injudicious and inexpedient to attempt experiments (which are avowed as such), and which experiments may tend to shake the good feelings now existing, and the discipline hitherto prevailing in the British Army, which never at any moment in history stood higher for its warlike achievements and admirable conduct.

3. Because while it is admitted from the very highest authority that the old soldiers of the British Army give to it all its perfection and matchless excellence, it is manifest that the present Army Service Bill presents a risk, and offers an occasion, of losing the very men, who, after their service of ten years, become the most valuable, and who still may be in the prime of life—from thirty to forty—for all purposes of hard fatigue and military service. It is therefore highly impolitic to hazard this experiment, and far more judicious to retain the present regulations, which allow all soldiers, under a most liberal plan, and with good characters, to receive their discharge by the recommendation of their officers and the decision of the Commander-in-Chief.

4. Because, as has been clearly and unanswerably shown, great inconvenience must result to our colonial service from the plan now proposed; and especially in the minutiæ of every regimental arrangement. If men had six or eight months to serve, and were ordered out to India, that circumstance might occasion a degree of discontent among them. The Army in the East, as has been ably shown, presents many further obstructions to the eligibility of this measure; and it will be necessary when it shall be in full operation, and one-tenth annually of 72,000 men (our average force serving in the colonies) shall be entitled to discharge, and must be brought home, to make frequent reliefs of corps, at great difficulty and inconvenience.

"Finally, because the Government must either have a most extraordinary confidence in themselves, or expect an unlimited confidence from others, if they imagine that a measure of such magnitude, sanctioning changes so hazardous and on such fanciful theories, and, above all, against the opinions of nine-tenths of the British Army, can be carried into effect without stronger and more cogent reasons than have hitherto been advanced by them for these new experiments under their Army Service Bill in the British Army.

VANE LONDONDERRY.

POOR RELIEF (IRELAND) BILL.

On the Motion that this Bill be now read 3ª.

LORD MONTEAGLE said, that he did

not rise for the purpose of raising any objection to proceeding with the Bill at the stage to which it had now attained; but he begged to draw their Lordships' attention to the effect which this measure was likely to have on the clergy of the Established Church of England in Ireland. He believed, that not merely their interest but their actual existence must depend on the alteration of this Bill. He would beg to state to their Lordships the substance of a letter which he had received from a clergyman of the diocese of Lismore, who had been for thirty years the incumbent of a parish in which the tithe rent-charge was 194*l.* a year. That income was payable half-yearly, in May and November; and it was stated in the letter that the poor-rate in the electoral division under the temporary Act was 10*s.* 10*d.* for the half year. The consequence would be, that the rev. gentleman would, if such a rate was continued, be left without a single farthing of income to pay his curate, or for the support of his family. He believed that that was not a solitary instance of the hardship to which clergymen would be subjected. But their Lordships could not imagine what would be the operation of the Bill unless they ascertained the actual amount of charge upon each electoral division. He believed the operation of the measure would be such as their Lordships had no idea of. He thought it would be found to include everything that was most objectionable in the endowment of the Irish clergy, together with everything that was objectionable in the voluntary system. Not that he would have it supposed that he objected to the principle of endowment of the Roman Catholic clergy. He wished their Lordships had the wisdom to endow the Roman Catholic clergy in Ireland. It was a measure most needed, and it was one which they must pass at last. The next point to which he would call their Lordships' attention was the necessity that they should see the consequences of the Bill before them, as well as of the temporary measure of relief, so far as regarded the elective franchise in Ireland. They should recollect, that the fact of receiving relief disfranchised the recipient. By the words of an Act still in force, it was declared that relief given to a militiaman should not disfranchise him, provided he at the time was engaged in actual service, thereby conveying the inference, or rather more than an inference, that if he had not been in actual service at the time of receiving relief he would have been disfranchised. By the Reform Act, also, it was provided that no person should be allowed to register as a voter who should have received relief at any time during the twelve months preceding registration. In considering that question, it should not be said that it was an interference with the privileges of the other House. He knew that it was; but in a matter like that, where the overlooking of the effects might cause the disfranchisement of the great body of electors in Ireland, it was necessary that it should be looked to. He had given notice that he would call the attention of Her Majesty's Ministers to the question; and he wished, through the medium of the publicity which the proceedings of that House received, to call the attention of the other House of Parliament to it. It was a matter which ought to be considered at once and decided on, especially on the eve of a general election. The third point to which he would direct their Lordships' attention was the fact that he did not think they had sufficiently considered the effects of the Bill upon the general peace and tranquillity of the country. They would legalize by it the collection of large assemblies of the people, that it would be impossible to disperse without the active aid of the constabulary. They should recollect that large bodies of distressed people assembled together were very indiscriminate in the object of their anger, and that the very persons who had been the instruments of relief, and the channels through which the munificence of Parliament had flowed to the Irish poor, had been, in many instances, objects of attack and ill usage. They should remember that in all cases of famine and riots arising from distress, in every part of the world, those riotings had led, not to the seizure merely of food for the suffering and destitute, but to the actual destruction of those provisions which had been stored for their necessities, through the infuriated ignorance of the sufferers themselves. The most undivided and unenviable responsibility of the measure, as it stood, rested upon Her Majesty's advisers. Had the Amendments proposed in that House been adopted and allowed to remain a part of the Bill, he thought it would have been much better; but in that case, if it had failed in its operation, the blame would have been thrown upon the Lords, and not upon the Government.

The EARL of WICKLOW, if he could

believe the operation of the Bill would have the same effect as that produced by the Temporary Relief Act, would think it one of the most grievous calamities that had ever happened to the country. He regretted that the Amendments which he had proposed had not been adopted; but he believed there were sufficient safeguards in the Bill already to prevent those ruinous effects to the clergy which his noble Friend near him apprehended.

The EARL of LUCAN made a few observations which were inaudible.

The EARL of CLANCARTY said, there was this difference between the temporary and the permanent measure, that by the Temporary Relief Act relief was given in food only, whereas by the permanent Act relief was to be given out of the workhouse in money as well as food. There was, besides, under the temporary Act, a very valuable aid given to private benevolence, for those sums subscribed by voluntary contribution, and forwarded to the relief committees, were met by equal sums contributed from the national resources. Under the permanent Act, no such assistance would be given, so that noble Lords need not be so sanguine as to its operation. He had been greatly surprised to find, by a Bill which had been introduced into their Lordships' House, that a power of removing Irish paupers was to be given to England and Scotland, whilst no such power of removing English or Scotch paupers was to be given to Ireland. The measure appeared to be one calculated for the relief of English towns, not of Irish distress.

LORD BEAUMONT believed that the whole complaint made by the Irish clergy regarding the operation of the Bill upon their interests was, that they were to be rated upon the gross amount of their incomes, and not upon the net amount. If that were the case—and he did not think they were under any other peculiar disadvantage—their position would be this: if the whole amount of the poor-rates for the year were 20*s.* in the pound, the clergy would receive just nothing for themselves, the whole amount of their rent-charge being absorbed; but if the rates should amount to, say 25*s.* in the pound, during the whole course of the year, the clergyman would be no worse off. But how stood the landlord? The tenant having power to deduct one-half the poundage of the rate from his rent, he would do so till the rate exceeded 40*s.* in the pound; while the landlord could deduct from the tithe rent-charge no more than the 20*s.*, that being the whole rent-charge the landlord would actually remain liable for, and be out of pocket the remaining 5*s.* or 20*s.* as the rate happened to be 25*s.* or 40*s.* in the pound. So that there was the advantage on the part of the clergy that they would receive nothing, whilst the landlord would receive nothing and be minus 5*s.* additional. In the present hopeless, helpless condition of Ireland, the clergy had nothing to complain of. With regard to the electoral franchise, whatever might be the result, and whether the whole of the Irish constituencies were, as his noble Friend anticipated, to be disfranchised or not by the operation of this measure, he hoped to heaven their Lordships would never adopt the principle of having a pauper constituency.

EARL GREY said, that that was the third time on which the Bill had been discussed; he would, therefore, not go into any of the questions which had been raised regarding it, further than to protest against the assertion of the noble Earl opposite, that any measure had been brought into that House with the object of relieving English towns at the expense of Ireland. Looking at the condition of Ireland only, and not looking to the state of any place in England, he was convinced of the necessity of the measure. The proposition had been made for Ireland only, and the necessity for something of the kind was so pressing that they should not shrink from its adoption. He would not go into the other questions that had been raised. As to the complaints of the clergy, they would point rather to the necessity for an amendment in the Church Temporalities Act, than to any alteration in the Bill before their Lordships. And as to the question of the franchise, he quite agreed with his noble Friend behind him in thinking that it would be an act of insanity to erect a pauper constituency. The other matters he was not in a situation to enter into. After the Bill had been read a third time, the Amendments might be discussed in their proper order; and he therefore trusted their Lordships would allow the third reading to take place.

The MARQUESS of HEADFORT said, that he had voted that the Bill be permanent, because he felt that some measure of the kind was essential in the present condition of Ireland; and because he was satisfied, after what had taken place, that

a temporary measure would be comparatively useless. He deprecated the dependence on England which had hitherto taken place; but he felt that a great debt of gratitude was owing to England for the exertions which this country had made for the relief of Ireland. Even the repealer could hardly, after what had taken place, use the term "Saxon" as a word of reproach. He hoped all sects and classes would unite to carry out this measure in such a way as to show that Ireland was determined for the future to rely upon herself for the amelioration of the condition of the people of that country.

EARL FITZWILLIAM could not agree with the anticipations of the noble Marquess as to the effect of this Bill; for he was convinced that its operation would be most disastrous to Ireland. Hardly two noble Lords, whether connected altogether with Ireland, or with that country and England, had expressed similar opinions as to the probable results of this measure. He did not agree with the opinion that the responsibility of this Bill was entirely to rest upon Government; but he felt that great responsibility rested on them for not having attended to the doubts of those connected with Ireland, and also with having listened with too willing an ear to the representations made to them elsewhere by the suggestors of such a measure; although he admitted they had introduced some improvements into it in that House which manifested some feeling of the danger they feared the country might be exposed to. He told the Government, that House, and the House of Commons, that Ireland could not be rescued from the abyss into which she had fallen, without the continued aid and assistance of England. He did not stand there to defend all the landlords of Ireland; for he felt that some had neglected the management of their estates, and had allowed the present disastrous state of things to grow up; but many of them had done much to improve the condition of the people. It was true, according to the Act of Elizabeth, that not the land alone should be chargeable with the support of the poor, but all property; therefore, he regretted that such a doctrine with respect to the landed gentry of Ireland should be so prominently put forward; but he believed this was done to such an extent, as it was flattering to the gentry of England. He was convinced that this Act could not be carried out for a twelvemonth; but if a new Parliament assembled before Christmas, it would have to make most serious alterations in it, if not to repeal it.

The MARQUESS of CLANRICARDE felt how painful it was to differ from one for whom he entertained such feelings of regard as he did for his noble Friend who had just sat down. He thought that the large majorities by which that Bill had been carried, in both that and the other House, showed how general the feeling was in favour of it; and in addition to this, it had received the support of some of the highest authorities in the country. When such complaints were made against the adoption of out-door relief, noble Lords should recollect that in many parts of the west of Ireland, and more especially in Mayo and Galway, there were hardly any workhouses, and even in those the poor could not get relief. The danger did not arise from the out-door relief, but from the present state of Mayo. Those who had objected to this Bill had not pointed out how the present evils could be remedied. He did not believe that the Bill would be attended with any danger to Ireland, although for some years it would be a heavy burden on the land. In the fervent hope that it would relieve the condition of Ireland, he should give his cordial support to the measure.

The EARL of MOUNTCASHEL protested against the Bill, because he was confident it would never work out the good effects which Her Majesty's Ministers anticipated. He was certain it would not, for any continuance of time, prevent the sufferings that the people of Ireland were now enduring; and that it would only end in producing greater evils than now existed in that country, and lead to the entire ruin of the farmers and ratepayers, whose welfare it nevertheless professed to protect. He warned their Lordships not to persevere with this measure; for if they hoped to carry it by compelling the people to give up their holdings, whether by arbitrary power or by legal means, they might depend upon it, that, however peaceable the people might be for a time, human nature would not endure oppression beyond a certain limit, and they might expect that ultimately the people would adopt a system very different from that of mere passive resistance.

LORD ABINGER next addressed the House; but the noble Lord was quite inaudible.

Bill read 3ª.

LORD MONTEAGLE moved the addition, by way of rider, of the following clause:—

"And whereas the payment out of the poor's rate of rents due, or which may at any time hereafter become due, from destitute persons receiving relief, under this Act or the herein-first-before recited Act, or the payment of wages or in aid of wages to such persons out of any monies which may be advanced, raised, or expended under any Act for the relief of the destitute poor in Ireland, is an abuse which should be prohibited by law, and punished: be it further enacted, that it shall not be lawful to any board of guardians, or relieving officers, or any persons on their behalf, to pay to any destitute person receiving relief under this or the hereinbefore recited Act, any sum, or to pay for the account or advantage of such persons, any sum, out of monies advanced or levied for the relief of the destitute, in satisfaction of any rent for which destitute persons are or may be liable, or in aid of the wages of labour which such destitute person is receiving or entitled to receive; and that if, on the audit of the accounts of any union, it shall be proved to the satisfaction of the auditors that any relief shall have been given contrary to this enactment, any sum charged for such relief shall be struck out and disallowed from the said accounts, in the same manner as is now provided in respect to any other payment made contrary to law; provided always, that nothing herein contained shall prevent the relieving officer from giving provisional relief in cases of urgent necessity in lodging, until the next meeting of the guardians in the manner hereinbefore provided."

EARL GREY, while approving of the object of the clause, considered that, as it was framed, it would very much fetter the administration of the law; for, by the introduction of stringent terms to prevent abuse, a check would frequently be given to the granting of relief in cases in which it was proper to be granted.

Clause negatived.

EARL GREY moved an Amendment on the 8th Clause, the object of which was to render it imperative on a child to support its parents in the same way as is provided in the English Poor Law.

EARL GREY then moved an Amendment on Clause 10, regulating the circumstances under which persons holding more than a quarter of an acre of land should give it up on applying for relief, and rendering it imperative on landlords to accept the surrender of land in such cases.

The EARL of ELLENBOROUGH expressed his belief that the provision for refusing relief to all parties who might hold more than a quarter of an acre of land, until they should have given up their holdings, could not be beneficially carried into effect during the present great emergency in Ireland. It might be advisable to insert such a provision in the Bill if Ireland were in a normal condition, or in a condition resembling that of this country; but considering the millions of persons who were at present in a state of absolute destitution in Ireland, it appeared to him that that provision would operate most harshly, and was calculated to drive great masses of the people to a state of desperation.

EARL GREY deprecated discussion upon the Bill generally while a particular clause only was before the House; and expressed a hope that the clause, as amended, would be allowed to stand. He thought they could only lay down a general principle, and then leave to the discretion and judgment of those to whom they intrusted the administration of the law the management of the details. He was afraid, that if justice, in the opinion of their Lordships, was not likely to be done to the parties whose interests were at issue, by this clause, the only alternative open to them was to strike the clause out of the Bill. He had already stated, on a former evening, his objection to such a course as this; and, in the then state of the House, he believed it would not be advisable to take such a step.

The EARL of WICKLOW considered that the objections urged by the noble Earl (the Earl of Ellenborough) were purely imaginary.

After some conversation the Amendments were agreed to.

LORD REDESDALE then moved the clause of which he had given notice:—

"And be it enacted, that from and after the passing of this Act it shall be lawful for the owner of any property rated to the relief of the poor at an annual value of not less than 20*l.*, to enter into an agreement with any person occupying the same by which the said tenant shall become alone liable for all the rates levied upon such property for the relief of the poor; and that, after having entered into such arrangement, it shall not be lawful for the said tenant to deduct from the rent agreed to be paid by him for such property any portion of the sums levied upon or paid by him on account of rates for the relief of the poor."

EARL GREY was not now disposed to express any decided objection to the principle involved in this clause. Such a voluntary agreement as that proposed might in many cases in Ireland be desirable; but, under present circumstances, and after the Bill had progressed to this stage, the House of Commons would probably look with disfavour upon such a clause, and might consider that its introduction was an interference with their privileges. For this reason, and because, also, in a very short

time the Bill would require reconsideration, when the principle now brought forward might be most appropriately discussed, he trusted the noble Lord would not press his Motion.

LORD MONTEAGLE expressed a most decided conviction of the absolute necessity of such a clause as this to the good working of the measure. The only objection was that of the technical character referred to by the noble Earl; and though, if he believed that the introduction of this or of any similar clause would endanger the Bill, he should not give it his support, he should yet feel it his duty to vote for the Motion, should it be pressed by his noble Friend.

LORD CAMPBELL reminded their Lordships that they had gone through this Bill most laboriously, and entreated that they would now let it pass without creating any further disturbance. He did not question the importance of the principle, and he would say nothing now of the value of the suggestion; but, after the intimation given by the noble Earl, that the House of Commons might resist such an encroachment upon their privileges, he offered his humble but most earnest advice that the clause be withdrawn.

The EARL of WICKLOW looked upon this as the most important clause proposed to be introduced since the Bill had been before their Lordships; but if the measure could in any way be endangered by their Lordships assenting to such an Amendment, he would only request the noble Lord to consent to its withdrawal. The remark made by the noble Earl, in reference to the privileges of the House of Commons, was decisive. The clause could not possibly come into operation, were it now agreed to, for two or three years; and within that time it was not impossible the Bill might be brought under the revision of Parliament.

LORD MONTEAGLE said, the noble Lord would recollect that when a previous Poor Law was under consideration, the Amendment introduced, while the Bill was in the House of Lords, by the Duke of Wellington, was consented to by the House of Commons, and that that assembly did not consider their privileges had been at all invaded, though the Amendment was moved under circumstances similar to the present.

LORD REDESDALE would not press a division, if the Government feared that the Bill would be endangered, or that the privileges of the House of Commons were in any way interfered with by such a clause.

EARL GREY admitted the precedent of 1838, quoted by the noble Lord (Lord Monteagle); but the noble Lord was aware that the Amendment had received the concurrence of the House of Commons, only after much difficulty, and a great deal of debating which had not been made public. He would not say that this clause would cause the rejection of the Bill; but its introduction would undoubtedly lead to this perplexity, that it would make the House of Commons the more unwilling to agree to other clauses introduced in their Lordships' House, and of a most important tendency.

Clause withdrawn.

EARL GREY moved an Amendment to the 16th Clause, to enact that the highest ratepayers having been appointed *ex-officio* guardians, should, under certain circumstances, be permitted to delegate their authority to their qualified agents, even though such agents should not be among the highest ratepayers.

Amendment agreed to.

LORD ABINGER moved the insertion of a clause limiting the amount of the rate to be levied for the relief of the poor, upon the landlord or tenant, or both, to one-sixth of the net rent.

EARL GREY opposed it. It would declare that the rate for the relief of the most extreme case of destitution should in no case exceed 3*s.* 4*d.* in the pound.

Clause negatived.

The EARL of CLANCARTY asked if a measure for the suppression of vagrancy in Ireland would be brought before the House? They had imposed a great burden on property, and he thought they should enact with the present measure a Bill for checking vagrancy.

EARL GREY concurred with the noble Earl that a Vagrancy Act should accompany a Poor Law; a Bill with this object had nearly passed its final stage in the House of Commons, he believed with the general consent of all parties; it would soon be before their Lordships, by whom he had no doubt it would be as generally supported.

Bill passed.—House adjourned.

The following Protest was entered on the Journals of the House against the Third Reading of the Irish Poor Bill:—

DISSENTIENT—

1. Because every law, giving to the destitute

a claim to relief, must of necessity have a tendency to induce amongst the objects of its care, improvident habits; and this tendency is increased in more than an equal ratio, as the range of objects to which it applies is enlarged, and the nature of the relief extended.

2. Because the Irish people seem, either from natural constitution or from adventitious circumstances, peculiarly prone to such habits; and to them their present distress may, in my opinion, be mainly traced.

3. Because the tendency of this Bill, therefore, is, in its result, rather to increase than to diminish the probability of the recurrence of that distress.

4. Because it appears that there is in Ireland a great want of the machinery necessary for the proper administration of this law.

5. Because this Bill contemplates the necessity of giving out-door relief, and it has been proved by experience in England, that it is very difficult to resist the pressure which is at times brought to bear against the checks imposed by law for securing the wholesome administration of such relief; and because the experience of the working of the 9th and 10th Victoria, c. 107, in Ireland, proves it to be probable that the difficulty there will be still greater; and, if those checks are once broken through, the total absorption of the property of the country and the entire demoralisation of the people will be the necessary consequence.

6. Because this Bill, intended to effect a complete and lasting change in the habits and manners of the people of Ireland, avowedly an experiment, admitted by all to be a difficult, and characterized by some of its supporters as a doubtful and hazardous one, has been brought in and passed under the excitement of a grievous, accidental, and temporary calamity, which precludes its receiving that calm and dispassionate consideration which so important a measure demands.

7. Because it is notorious that the desire generally manifested for a Bill of this nature has had its origin in the inconvenience resulting from this accidental and temporary calamity, the consequent influx into England of destitute Irish families; and is suggested not so much by the hope that it will benefit the people of Ireland, as in the expectation—which I believe will turn out to be quite fallacious—that it will prevent the recurrence of similar inconvenience.

8. Because, therefore, I consider this Bill in itself objectionable; not calculated to ameliorate the condition of the people of Ireland; incapable of being satisfactorily administered; likely to be destructive to property and dangerous to the independence of the poor in Ireland; introduced and passed at an unfit time and without due consideration; and, though called for by the people of England, called for on erroneous grounds.

RADNOR,
MONTEAGLE, of Brandon.

For the 4th, 5th, 6th, 7th, and 8th reasons,
FITZWILLIAM.

HOUSE OF COMMONS,

Tuesday, May 18, 1847.

MINUTES.] PUBLIC BILLS.—1° Poor Removal Act Amendment; Copyhold Commission; Turnpike Acts Continuance; Loan Societies; Stock in Trade Exemption; Highway Rates.

2° Westminster and part of Middlesex Sewers.

Reported.—Juvenile Offenders; Transference of Lands (Scotland); Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland); Crown Charters (Scotland); Cemeteries Clauses.

PETITIONS PRESENTED. By the Chancellor of the Exchequer and other hon. Members, from several places, for Regulating the Qualification of Chemists and Druggists.—By Mr. G. Hope, from Southampton, and from the Parish of Saint Olave, Southwark, in favour of the Health of Towns Bill.—By Mr. Beckett, from Leeds, for Alteration of the Health of Towns Bill; and against the Highways Bill.—By Sir De L. Evans and other hon. Members, from several places, in favour of the Medical Registration and Medical Law Amendment Bill.—By the Chancellor of the Exchequer, from Persons assembling for Public Worship in Haley Hill Chapel, in Northowram, near Halifax, for the Suppression of Promiscuous Intercourse.—By Mr. Gill, from the Corporation of the Guardians of the Poor of the Town of Plymouth, respecting the Punishment of Vagrants, &c. (Ireland) Bill.—By Lord E. Bruce, from Marlborough, for Alteration of the Law of Settlement.

THE DERBY DAY—ADJOURNMENT.

LORD G. BENTINCK, who had on the Paper a notice of Motion, "That the House at its rising do adjourn till Thursday," then rose and said, Sir, for more than half a century the Derby day has been a recognised holiday.

MR. HUME spoke to order. The notice of the noble Lord stood No. 18 on the Paper, and there was no reason why the Derby should have preference in the House over everything else.

MR. SPEAKER: It is usual to take early in the evening Motions respecting the adjournment of the House.

MR. HUME wished to know whether there was any Standing Order ["Chair, chair!"] entitling any hon. Member at any time to interrupt the business of the House by a Motion respecting its adjournment at its rising.

MR. SPEAKER: The practice has always been to take these Motions for the adjournment of the House early in the evening, for the convenience of hon. Members, because they cannot otherwise tell on what day the House will sit, and might not know for what days to fix Motions.

House at its rising to adjourn till Thursday.

LORD LIEUTENANT OF IRELAND—DEATH OF THE EARL OF BESBOROUGH.

MR. HUME asked whether the Government had made arrangements for filling up the vacant office of Lord Lieutenant of Ireland? It was important that it should be known as soon as possible what was intended to be done with regard to that office.

LORD J. RUSSELL, who evidently spoke under deep emotion, said: Perhaps the House will permit me, in answering that question, to express the grief which we, and the Sovereign we have the honour to serve, have felt at the melancholy loss the country has sustained, in the death of a nobleman, whose intimate knowledge of Ireland, whose clear judgment, whose conciliatory qualities were so well adapted to soften animosities which have long been the bane of that country, and to point the way to her future improvement. Sir, having said these few words with respect to the calamity that has occurred, I will tell the hon. Member who has asked this question, that Her Majesty's Ministers have thought it their duty to advise Her Majesty immediately to fill up the office of Lord Lieutenant, which has thus become vacant. Whatever may be the opinion of Her Majesty's Government with respect to the general nature of that office, with respect to the policy of maintaining it for any length of time as part of the Government in the United Kingdom, we are clearly and unanimously of opinion that the present circumstances of Ireland do not admit of such a change of authority as would be necessarily affected by the legislative measures which would have to be introduced on a change in the mode in which the Government of Ireland is administered. We have, therefore, thought it absolutely necessary to advise Her Majesty to fill up the office of Lord Lieutenant. I do not intend, during the present Session of Parliament, to introduce any measure by which an alteration may be made in the constitution of that authority. We have felt, in coming to this determination upon our own responsibility, that it was absolutely necessary for the present Government of Ireland.

MR. MOTT.

MR. FERRAND, seeing the hon. Member for Bolton in his place, begged to give him notice that on Friday he (Mr. Ferrand) would put a question to him relating to the positive contradiction given on the previous evening by the Home Secretary to the solemn declaration made in that House by the late Home Secretary, who had said that Mr. Mott had been dismissed from his office of assistant poor-law commissioner for conduct with which the hon. Member for Bolton was acquainted, that hon. Member having stated on the 28th of January last that he understood that declaration to be sufficient to clear his character as a Member of the House and with his constituents, from the charge brought against him by Mr. Mott.

DR. BOWRING would rather the hon. Member would put his question at once, instead of postponing it to Friday.

MR. FERRAND would then ask whether the hon. Member was prepared, after the positive contradiction of the late Home Secretary's solemn declaration, to take any further steps for the purpose of clearing his own character and the character of his constituents from the charge made against them?

DR. BOWRING did not know in what manner his character was involved in anything that had taken place. He would just recall the circumstances to the recollection of the House. He (Dr. Bowring) had had great reason to complain, and so had his constituents, of certain statements made by Mr. Mott, respecting the state of Bolton; he (Dr. Bowring) did complain both publicly and privately; but when he found that Mr. Mott was no longer connected with the Poor Law Commissioners, that he had ceased to be an assistant commissioner, and that the right hon. Baronet the Member for Dorchester (Sir J. Graham), on one occasion had stated that he (Dr. Bowring) was acquainted with the circumstances under which Mr. Mott was no longer employed as assistant commissioner, he (Dr. Bowring) took for granted that this was a recognition by the right hon. Baronet that he was not satisfied with the statement made by Mr. Mott respecting the state of Bolton. He (Dr. Bowring) accepted that as a testimony to his veracity; his constituents were very well satisfied with the general results; and further than that he had really no explanation to give.

SIR G. GREY believed the hon. Member (Mr. Ferrand) had assumed that he gave on the previous evening a solemn contradiction of the previous solemn declaration of the right hon. Baronet (Sir J. Graham). He (Sir G. Grey) was not aware of the declaration to which the hon. Member referred; but what he (Sir G. Grey) had stated was, that he had been informed by the Poor Law Commissioners that the terms used in the notice of a question put upon the Paper by the hon. Member (Mr. Ferrand) for the previous night were not correct; that Mr. Mott was not dismissed for misconduct, but that he was

the commissioner who, under the terms of the Act of Parliament, retired.

Sir J. GRAHAM hoped he might be allowed to confirm the precise accuracy of the statements made by the right hon. Baronet and the hon. Gentleman who had last addressed the House. In 1844 there were ten assistant poor-law commissioners; by an Act of Parliament then passed the number was to be reduced to nine. It was necessary for the Commissioners to select one of the ten to retire; and they selected Mr. Mott. He was not dismissed, in the sense in which the hon. Member used that word as a punishment for any offence; but in making a selection with a view to the relative merits of the then ten assistant commissioners, the circumstance to which the hon. Member (Dr. Bowring) had alluded was considered by the Commissioners, and by himself (Sir J. Graham). On the whole he was not satisfied with the report which Mr. Mott made with reference to the state of Bolton, and that circumstance did weigh in the selection they made of Mr. Mott, by which he ceased to be an assistant commissioner.

SIR C. NAPIER.

Admiral BOWLES rose to ask the Secretary of the Admiralty whether the hon. and gallant Member for Marylebone was appointed to command the experimental squadron this year? and if so, after the very strong language in which he had so publicly expressed his disapprobation of the ships constructed by Sir W. Symonds, he was considered by the Board of Admiralty likely to be an impartial judge on so important an occasion?

Admiral DUNDAS answered, that Sir C. Napier had been so appointed, and that the Admiralty were perfectly certain that he would do his duty, as he always had done.

THE USE OF FLOUR IN CALICOES.

Mr. FERRAND rose to put a question of which he had given notice. As it was calculated that 183,120,000 lbs. weight of the best flour was annually used merely for the purpose of dressing the warps for weaving, besides an immense quantity for the purpose of daubing cottons with flour paste to defraud the public, he wished to ask the First Lord of the Treasury whether he would bring in a Bill to prohibit the use of flour for such purposes? Very strong opinions had been expressed on the subject by the working population; and having received the calculations on which he proceeded from a person practically acquainted with the subject, he had every reason to consider them as perfectly correct.

Lord J. RUSSELL replied, that he would not bring in a Bill for any such purpose.

COMBINATIONS AT SHEFFIELD.

Mr. T. DUNCOMBE rose to call the attention of the House to a petition of several inhabitants of Sheffield as to the conduct of Mr. Overend. This gentleman was a medical man in great and extensive practice at Sheffield; and he hoped, for the sake of his patients, that his prescriptions were better than his law. Whenever this gentleman was called on, in his capacity of magistrate, to adjudicate between employers and employed, it might be by accident, but it was found that he invariably gave his opinion in favour of employers. The working men of Sheffield were extremely attached to what were called trade unions. Mr. Overend took a very different view from them on this subject; and whenever a case of that kind arose, Mr. Overend was always sent for. It happened in the present case that a sword manufacturer and three of his men had a dispute as to the employment of two persons named Poole and Allen. Mr. Newfold admitted that the men conducted themselves with civility, though that gentleman had used some warm expressions on the occasion. Mr. Overend, the magistrate, was sent for to adjudicate. Though other business was going on before the other justices, this gentleman, who was celebrated for his knowledge of the law bearing on those combinations, said, immediately on taking his place, "We'll go on with your case now." When the case concluded, he sentenced the men to three months' imprisonment and hard labour. On an appeal, however, the conviction was set aside. Now, everybody was liable to error; but the fact as regarded Mr. Overend was, that most of his convictions had been quashed. The first design of the artificers was to memoralize the Secretary of State to have him dismissed; but it was afterwards thought better to call the attention of the public to the subject in the present form. They had no complaint against any of the magistrates but Mr. Overend. They did not believe his judgments were impartial, and they prayed the House to protect them from his decisions in future. The

best remedy for their complaints was to appoint a stipendiary magistrate for Sheffield, as in all the other large manufacturing towns, and to send there a man removed from all local and trade prejudice. Such was the practice with regard to Liverpool and Manchester; and he thought Sheffield, where there had been and were combinations on both sides, masters and workmen, should be governed by the same rule. If those men had been poor and unfriended, they would have had to suffer this injustice. As it was, he believed it had cost them 50*l.* to have this appeal, which had fortunately relieved them. The hon. Member concluded by moving for a return of convictions in Sheffield, specifying the date and names of the convicting magistrates, the nature of the sentences, &c., in such case.

SIR G. GREY had no objection to the Motion of the hon. Member; but he could not help regretting that he had thought proper to accompany it with some observations on the character of the gentleman in question which might not be quite justifiable, for he felt bound to state that the representations which had been made to him differed very widely from those of the hon. Member with respect to the town of Sheffield. He hoped, however, that the opinions he expressed in the House on the subject of trades' unions would go forth on his behalf to the people of that town; for though any person might become a member of those unions, he became liable to the law if he attempted to intimidate others, or to combine with the members of them for illegal purposes. He was assured that a fearful system of intimidation existed in Sheffield, under which the magistrates were obliged to act in circumstances of great difficulty and much peril; and he felt bound to state that no official statement had been addressed to him, or any communication made respecting Mr. Overend, except in terms of commendation of his character and ability. He was aware, in this particular instance, that the conviction had been quashed; but he was assured that Mr. Overend acted under the best legal advice on the occasion, and took the greatest pains in forming his opinion, and he knew that as soon as notice had been given of the hon. Member's intention to bring this subject before the House, several petitions and memorials were presented in consequence — one very numerously signed by most of the inhabitants. He thought it but right and just that these memorials should also be laid before the House, and would therefore offer no opposition to the Motion for producing them.

MR. E. B. DENISON said, he knew Mr. Overend, and could safely say he was a very useful and honourable man, who had an exceedingly onerous duty to perform, and performed it ably and fairly. The town of Sheffield was afflicted with a system of combination which brought the employer and employed into a state of constant variance. With respect to the Motion of his hon. Friend opposite, he would, in justice to Mr. Overend, ask the leave of the House to append to his Motion the memorials which had been presented from Sheffield. The hon. Member had been somewhat wrongly informed with respect to Mr. Overend, for he stated that all his convictions had taken place single-handed, or at least conveyed that impression to the House. The fact was, however, that every one of them had been given in company with other magistrates.

The CHANCELLOR OF THE EXCHEQUER vindicated the character and conduct of Mr. Overend, and declared him to be a gentleman who had devoted himself to his duty under great difficulties, and had made the most meritorious exertions to discharge it.

MR. J. S. WORTLEY said, Mr. Overend was one of the most eminent men of his profession in the north of England, and was one of the ablest, best, most conscientious, and most efficient magistrates. Mr. Overend was called upon to act as a magistrate not engaged in trade. The Act under which the convictions took place excluded persons connected with trade from acting in a judicial capacity. One conviction was actually quashed because the colleague of Mr. Overend was a merchant exporting scissors, and therefore disqualified as a magistrate under the Act. Every one of the convictions quashed had been so on the ground of informality. In such cases it was not the magistrate who was at fault. Mr. Overend had received addreses from all the public bodies in Sheffield of any consequence, including the mayor and corporation, the Master Cutler and the corporation of Cutlers, the clergy, and from 2,000 of the most respectable inhabitants —a fact which showed the high appreciation in which his merits as a magistrate were held in that town. He had no intention of entering into details connected with this subject; but, if he were to do so, he could present a picture of the state of

things in Sheffield which was actually frightful, and which would be sufficient to shake the opinion of even the hon. Member opposite (Mr. Duncombe) himself. It would be enough to say, that a peculiar class of offences had reached such a height there —he alluded to the destruction of property by gunpowder—that it was found necessary by the right hon. Gentleman behind him (Sir J. Graham), when Home Secretary, to introduce a specific measure for suppressing the practice. He held in his hand a placard which had been issued on the morning following one of these offences, offering a reward of 1,000*l.* for the detection of the offender; but it produced no effect: it was found impossible to obtain any evidence respecting it. In such circumstances it required a man of vigour and courage to dare to act as a magistrate on such occasions; and Mr. Overend was a man of courage, and, at the same time, a man of moderation. He hoped the hon. Member for Finsbury would repeat the advice which he had given the workmen to-night elsewhere; for he had great influence with the people of Sheffield, and such advice coming from him would do great good. He held in his hand a placard in which that hon. Member's name was mentioned as president of a trades' union society; and the hon. Member could hardly conceive the countenance which his name gave to such a society. He assured the House that the consequence of the state of things which existed in Sheffield between masters and workmen was deplorable in the extreme. He knew a case where a gentleman of extensive capital intended setting up an establishment in Sheffield for the manufacture of engines for railroads; but, from the terrible state of society which he found existing there, he actually left the town and settled elsewhere. It would be doing a great service, therefore, to the workmen, if the hon. Member for Finsbury would use his influence with them, to show them that such conduct as he had referred to was doing not only a great injury to the town, but to the trade by which they lived, and to themselves and families.

Mr. HENLEY knew nothing of the merits of the case, nor any of the parties engaged in it, but could not forbear saying, he was surprised at the course taken by Government upon it. The hon. Member for Finsbury made a short speech, but a very strong one, in which he cast out very serious imputations against a gentleman holding a commission of the peace. He (Mr. Henley) should have thought that a court of law would have been the proper place to investigate this charge, or, if that were too tedious or too distant, that the parties should have applied to the Crown, to which the magistrates constitutionally were wont to look, and to which the people turned for redress in cases of magisterial misconduct. That course was not taken; and when the case was brought before the House, the Secretary of State said there was no wrong done, as far as he knew, and at the same time submitted to a Motion for a list of convictions in Sheffield, which might, after all, only prove that several breaches of a very intricate and difficult Act of Parliament had been committed by the magistrate. There was no conviction so clear that a man might not be found to pick a hole in it; but the Government in this case sat quietly down, and gave the magistrate no protection whatever. This course was a direct premium to tempt persons to make that House the judge in matters with which, according to his opinion, the House had nothing at all to do.

Mr. H. G. WARD remarked, that the hon. Member (Mr. Henley) had somewhat misrepresented the facts of the case; for, although it was true that the hon. Member for Finsbury had made some strong statements respecting Mr. Overend, on the other hand an almost unanimous testimony had been borne in his favour. As one of the Members for Sheffield, he (Mr. Ward) had risen to say that he entirely concurred in many of the observations which had fallen from Gentlemen on both sides of the House. The fact was, that the question of trades' unions was one of the most difficult that the Government or the magistracy could deal with. He knew that in Sheffield there existed a strong feeling on both sides, and that there were faults on both sides. If ever there was a case in which it was the duty of a magistrate to show exemplary patience and freedom from prepossession on either side, it was a case in which trades' unions were concerned. He had risked his seat in his attempts to bring home to the working classes of Sheffield the injury which they did to themselves by the height to which they carried their trades' union proceedings. He admitted that there were cases in which trades' unions were essential to the working classes; but when they overstepped the limits of moderation, and attempted to carry their resolutions, not by moral force,

but by influence bordering on threats, which were always followed (although they could not be traced) by acts of violence, they inflicted an injury on the working classes generally which it was impossible to estimate. When times of bad trade came, the workmen felt this themselves. One of their resolutions, for instance, was, that no employer of labour should be allowed to make choice of his own workmen, and that no workman should be allowed to choose his own employer. When trade was good, they might be able to carry this into effect, but not when trade was bad. He held in his hand an advertisement which had lately been issued by the table-knife grinders of Sheffield, announcing their resolution to abandon this rule in consequence of the present state of trade. He said here, as he had said in Sheffield, that the practice of any system of force or intimidation was destructive of all proper subordination, and fraught with ruin to the trade of the town. He knew the case to which the right hon. and learned Member (Mr. Wortley) had referred, in which a man intended to invest a large capital in the establishment of a new branch of trade in Sheffield, but was compelled to abandon the idea owing to the spirit of combination which prevailed. He believed that nothing but a bitter lesson would bring the workmen to their senses on this subject, and show them the evil which their conduct was calculated to inflict upon themselves. That there were faults on the part of the masters as well as of the men he freely admitted; and he only hoped that both parties would follow out the principle which had been so properly inculcated by the hon. Member for Finsbury, that neither of them had a right to interfere in anything except by moral influence.

MR. PARKER concurred in lamenting the injury done to trade by the disturbed state of the relations between the employers and the employed, and in expressing a hope that a better feeling would soon prevail.

MR. T. DUNCOMBE assured the House that the sentiments he had uttered that night with respect to trades' unions, and the conduct of the workmen towards their employers, he invariably inculcated in their presence. The very placard which the right hon. Gentleman (Mr. S. Wortley) had exhibited to the House, related, he believed, to the National Association of United Trades, which was no doubt a concentration of trades' unions, acting by means of a central committee, but the object of which was to create a good understanding between workmen and their employers, and to obviate the necessity of strikes; so that if the object of the right hon. Gentleman was to put down strikes, he could not do better than to encourage that association. So far as he was concerned, that association should never have recourse to any such mischievous practices as the right hon. Gentleman had described. He must say that it was not quite right to prejudice the case which he had brought under the notice of the House by referring to the explosions and other diabolical outrages which had occurred in Sheffield. The three men to whom he had referred were totally unconnected with proceedings of that sort. He begged to say also that if the House wanted to put down secret conspiracies and dangerous combinations among workmen, they should endeavour to give them confidence in the impartial administration of the law. The very difficulty which the right hon. Gentleman had referred to, of finding magistrates to act in Sheffield, showed the necessity of appointing a stipendiary magistrate for that town. There should, in fact, be a stipendiary magistrate in every town with a population above a certain amount, say 8,000 or 10,000.

Motion agreed to.

RAILROAD BILLS IN THE PRESENT SESSION.

The CHANCELLOR OF THE EXCHEQUER then rose to move the appointment of a Select Committee—

"To consider whether it is expedient that any measures should be adopted for suspending further proceedings in all or any of the Railroad Bills in the present Session, and for enabling the parties, under certain conditions, to proceed with the same in a future Session of Parliament; and also, whether it is advisable that any future provisions should be made in the Standing Orders of this House relative to Bills for the construction of Railroads; and to report their opinion thereupon to the House from time to time."

He apprehended there would be no opposition to this resolution. He had been in communication with various parties connected with the railway interest on the subject, and found that they had no objection to the proposal, and therefore he did not think it necessary for him to trouble the House with any statement in moving its adoption. It would be observed that he had worded the resolution in very general terms. With respect to the first point, namely, as to suspending further proceed-

ings on Railway Bills in the present Session, his own view was that a permissive power only should be given to parties to suspend proceedings at a certain stage, and to proceed with the same in a future Session; but he had not thought it necessary to limit the reference to the Committee to this point, but had left it quite general. With reference to the second point, as to whether it were advisable that any further provisions should be made in the Standing Orders relative to the Railway Bills, he thought it right that some further securities should be taken to provide that none but *bonâ fide* concerns should be admitted to the chance of obtaining Parliamentary powers. He thought it no less for the advantage of railways than of the public that some further regulations should be made on this subject. He begged, therefore, to move the resolution of which he had given notice.

MR. HODGSON HINDE said, he was not prepared to give the acquiescence which the right hon. Gentleman seemed to expect would be so generally accorded to the Motion; but, before he noticed his objections to the Motion itself, he had to complain of the short notice which had been given to the House on a subject of so much importance. In the case of a Motion which affected capital, proposed to be invested in railways to the extent of 100,000,000*l.*, he thought that an interval of one or two days should have been allowed to hon. Members to prepare an Amendment, if they thought proper. He approached the subject under great disadvantage; but he had so strong a feeling on it that he did not think he should be doing his duty if he did not move an Amendment, and take the sense of the House upon it. The right hon. Gentleman said he had brought forward the Motion after consultation with several gentlemen deeply interested in railroads. He believed he knew who those gentlemen were; he believed they were three gentlemen largely connected with railways, whose names were on this Committee, and, as their interest obviously was to have as many new schemes strangled as possible, he could easily understand how they should have so readily approved of this Motion. To consult them on the subject was like consulting the wolves as to what was good for the sheep. If the object of the Chancellor of the Exchequer was to prevent the undue expenditure of capital on railroads within a certain period, he could have no difficulty in acceding to his Amendment. The right hon. Gentleman had said that his own view was, that it should only be made permissive to railway companies who were soliciting Bills to suspend their proceedings till another Session; but that he did not think it right to limit his reference to that. But why not? If he had so limited it, perhaps the hon. Gentlemen referred to would not so willingly have acceded to the Motion. He had no objection to the latter part of the Motion which referred to Standing Orders, but he proposed that the first branch of the Motion should be omitted, for the purpose of substituting the following words:—

"That a Select Committee be appointed to inquire whether it be expedient that any restrictions should be imposed on the construction of Railways which may be authorized in the present Session, so as to prevent the absorption at one time of an inconvenient amount of capital in these undertakings."

The CHANCELLOR OF THE EXCHEQUER was understood to say, that, as the hon. Member appeared to have the same object in view that he himself had, he hoped the hon. Member would not press his Amendment.

Amendment withdrawn. Motion agreed to. Committee nominated.

POOR LAW ADMINISTRATION BILL—ADJOURNED DEBATE.

The Order of the Day for the resumption of the Adjourned Debate on this Bill having been read,

MR. CHRISTIE said, that he mainly approved of the principle of the Poor Law Amendment Act, and concurred in the opinions expressed last night with so much force and clearness by the hon. and learned Member for Bath. He was also thoroughly convinced of the necessity of a Central Commission with large discretionary powers, for the purpose of aiding, guiding, and controlling, local authorities. Entertaining these opinions, the only fault which he found with the Bill, referred to the clause —which had been stated to be an afterthought—which rendered the provisions of the measure temporary. Notwithstanding the strong assertions of the hon. Member for Knaresborough yesterday, he believed that the New Poor Law—a measure so salutary and at the same time so obnoxious to prejudice—was supported by the favourable opinion of the great bulk of the educated classes, and, indeed, he might say, by the great bulk of the people generally,

and that they were desirous that it should be placed by Parliament above the disadvantage which was inseparable from a law renewed for only five years. The hon. Member for Knaresborough said that the law had failed—that it had crumbled to pieces—and that all parties admitted it had proved to be a miserable failure; but he had listened in vain for any proof in support of the hon. Member's assertions. The only matter which the hon. Member referred to as supporting his broad and sweeping assertion, were the proceedings before the Andover Committee, to which he (Mr. Christie) would presently advert. The course which the hon. and learned Member for Dorsetshire pursued last night, whilst professing to be friendly to the principle of the Poor Law Amendment Act, had infinitely surprised him, and rendered it necessary that he should endeavour briefly to explain what were the advantages to be derived from the Bill now before the House. The experience of the past had shown that security was needed for the correct administration of the law. Now, the Bill, in three different ways, produced important additional security for the correct administration of the law. The first of those additional securities was the direct responsibility in Parliament to which all officers employed in the administration of the Poor Law would, under the operation of the Bill, be subjected. They would be present in that House to be questioned and to answer for themselves, and would be fixed with direct responsibility for the answers which they might give. Then four Cabinet Ministers were to be associated with the President of the Commission proposed to be appointed under this Bill—a circumstance which must secure, as he presumed it was intended, the great additional advantage to the public of Cabinet deliberations upon every important exercise of the discretionary power with which the Commissioners should be invested. In the third case, the new footing in which the Commission was to be placed, by its officers being removable on every change of Government, though it was received by some persons as likely to endanger the stability of the law, appeared to him to furnish an important additional security in this way—that the administrators of Poor Law affairs would take every step they adopted with the full knowledge that their conduct would be canvassed thereafter, perhaps almost immediately by their successors, and, it might be, by their political opponents; and, on every change of Government, the persons who undertook to administer the Poor Law would by their mere acceptance of office, imply that they intended to maintain the fundamental principle of the law. The Bill made a slight change in the titles of some of the officers at present employed in the administration of the law, which appeared to himl ikely to have an important effect. The assistant poor-law commissioners were henceforth to be called inspectors. The Secretary for the Home Department yesterday enumerated some of the disadvantages under which the Poor Law Commissioners were placed by the present constitution of the Commission; and, upon the whole, he concurred in the view which the right hon. Baronet took of that subject. There was one disadvantage, however, under which the Commission was placed, to which the right hon. Baronet did not advert. The Central Commission, as was stated by the hon. Member for Bath, had been made responsible for every abuse and defect in the local administration of the law throughout the country. The effect of the change would be to place the Central Commission and their officers in a more proper and just relation towards the local administrators of the law by making it clear to the public that they were something external to the local administration diffused throughout the country. It would now be understood, that the Central Commission and their officers were appointed for the purpose of watching the local authorities, and compelling them to perform their duty; and the Commission would be looked upon merely as controllers. The hon. Member for Knaresborough, in the course of his speech, complained of the principles of the Act of 1834, and of the mode in which those principles had been carried into effect; and he spoke of the law as an utter failure. He agreed with the author of an anonymous pamphlet, published within the last two days, and which he thought might, without fear of mistake, be attributed to one of the Poor Law Commissioners, that in the present state of public feeling—brought about, he was aware, by the important inquiry of last Session into the case of the Andover Union—it was desirable to ascertain the precise meaning of the declaration that the New Poor Law had been proved to be an utter failure. It was important to ascertain whether the Act of 1834 was impolitic and impracticable in itself, or whether it was a good law, and

had failed only through the fault of its administrators, local and central; in other words, it was necessary that the distinction between the law and its administration should be placed clearly before the public. The points into which the Committee on the Andover Union inquired and reported, were all points bearing upon the administration of the law, as distinguished from the law itself, The right hon. Secretary for the Home Department said that he had read the report of the Andover Committee without finding a word in it affecting the principle of the law, or the expediency of a central Commission. All the points inquired into by the Committee, as he before stated, involved the local administration of the law. The master and matron of the workhouse were unfit for their offices, and, consequently, the workhouse was ill-regulated. Large discretionary powers were improperly left to the relieving officer, and the result was the infliction of hardship on the poor. The accounts were disgracefully kept, and the system of relief administered by the guardians was intended to defeat one of the chief objects of the Act. They applied the workhouse test so harshly, that labourers were afraid to enter the workhouse, and were glad to accept any wages, however insufficient, which were offered them. Upon these abuses the Committee reported in terms of strong condemnation. Then the Committee inquired into the conduct of an assistant commissioner in conducting an investigation connected with the union—into the conduct of the Poor Law Commissioners in dismissing Mr. Parker and Mr. Day; and upon these questions the Committee came to a decision, and reported it. He would take that opportunity of complimenting the hon. Member for Droitwich (Sir J. Pakenham), and the noble Chairman of the Committee (Lord Courtenay), for the talent and impartiality exhibited by them throughout the inquiry. All these were points affecting the administration of the law, not the law itself. Various incidental questions also arose before the Committee, which they found themselves obliged further to investigate, as a matter of justice to individuals. Those questions had reference also to the mode in which the Commissioners had conducted their business, which was in many respects illegal, and altogether irregular and injurious; and especially they had reference to an arrangement of the business of the department, by which Mr. Chadwick was excluded from all recognised participation in it; thus depriving the public of the advantage of his abilities, and of his great and various economical knowledge. Further questions were raised: of the existence of great distrust of the Commissioners by their subordinate officers—an imputation on them of discouraging their officers in detecting abuses—a charge made by Mr. Chadwick, on the authority of three late assistant commissioners, not one of whom had come forward to contradict his statement; also some instances of injustice by the Commissioners towards their subordinates—and a charge against them of withholding a return twice ordered by the House of Lords. Upon all these charges a great deal of evidence was taken, and public opinion was much affected by it. But all these questions, like the previous ones, concerned the administration of the law, not the law itself. And he considered he was justified, on a review of the whole of the subjects brought before the Committee, in saying that the hon. Member for Knaresborough was not entitled to refer to the report of that Committee as confirmatory of his assertion that the New Poor Law Act had proved an utter failure. The Andover Committee reported towards the close of the last Session of Parliament, when the present Government had very recently come into office. The right hon. Baronet the Home Secretary, during the greater part of the inquiry, was new to his present office, and much time elapsed before the report and evidence were delivered to the Members — not, indeed, until within a month of the meeting of Parliament. The right hon. Gentleman then instituted some inquiries, the result of which was the letter of the Commissioners which had just been laid on the Table of the House. The Commissioners were still in office when Parliament met for the present Session; but within a few days of its meeting, the noble Lord, adopting an unusual course for a Government, but a course which the state of public opinion demanded, did, in moving the appointment of a Committee to inquire into the Law of Settlement, make a statement to the House of the intentions of the Government as to the reconstruction of the Poor Law Commission. One effect of that statement was, that the hon. Member for Montrose, who had a notice on the Paper for an Address for the removal of the Poor Law Commissioners, was so satisfied with the noble Lord's declaration, that he said he should not make that Motion. Entertaining as he did a

very strong opinion as to the conduct of the Commissioners, he was not prepared to say, under all the circumstances, and as the Commission was then about to expire, that the Government did not exercise a wise discretion. But that statement of the noble Lord led the House and the public to believe that in the reconstruction of the Commission, the present Commissioners would cease to be Members of the Board. Under these circumstances, and considering that the Government were still obliged to depend on them, he was not surprised that the noble Lord had refused, when asked the other night, to pledge himself not to reappoint the present Commissioners. That was an unreasonable request; and he ventured to say that the noble Lord's refusal would give the public no concern. He could not wholly approve of the course taken by the right hon. Baronet (Sir G. Grey), in calling on the Poor Law Commissioners to give an account of the way in which the business of their office had been conducted. Their proceedings had been impugned by Mr. Chadwick, in the paper addressed by him, in 1841, to Mr. Lewis, and afterwards in his evidence before the Andover Union Committee. Mr. Chadwick and the Commissioners were at issue on various matters of fact. The Poor Law Commissioners would naturally make the statement that was most favourable to their own view; and he would take it on himself to say that the letter of the Poor Law Commissioners contained several misstatements; and yet that letter, unchecked by any counter-statement from Mr. Chadwick, had been submitted by the right hon. Gentleman to the law officers of the Crown. The letter contained several statements that were calculated to mislead. It was proved before the Andover Union Committee, that individual Poor Law Commissioners had at different times exercised all the powers which the Act of Parliament had entrusted to the Board of Commissioners, without having obtained that delegation of power which by the Act ought to have taken place. The Commissioners had not thought it right to give the opinion of the law officers of the Crown, although had they done so he could not suppose that this mode of procedure would not have been condemned by them. It was stated, as the reason for refusing it, that the opinion of the law officers of the Crown was never published by the Commissioners; but in a report on the state of relief in the parishes of St. Pancras and Marylebone, they voluntarily produced the opinion of the law officers of the Crown upon a case submitted to them. But the Commissioners had made some comments, and given their opinion upon some parts of that opinion of the law officers, by which an imperfect insight into its nature might be obtained; and he thought it would be better that the public should be put in possession of the whole opinion at once. He inferred from the letter of the Commissioners, that the law officers had given their opinion that the letters written by the Commissioners ought to be recorded in conformity with the Act of Parliament. The Commissioners said, that the letters which they had not entered on the minutes were, like all others, recorded; but he (Mr. Christie) asserted that all their letters were not recorded, for they were in the habit of writing letters of instruction to assistant commissioners which were marked "private," and which were neither entered on the minutes nor recorded. No copies were kept. Again he inferred, from the letter of the Commissioners, that the law officers had expressed the opinion that the Poor Law Commissioners had no power to decide separately without reference to the Board. But he asserted that they had been in the habit of deciding separately, without reference to the Board, all sorts of business entrusted to the Poor Law Commissioners. Before the meeting of Parliament an anonymous pamphlet had been published; and since he had had the benefit of seeing the official explanation of the Commissioners, he had no hesitation in ascribing that pamphlet to the same quarter. It was a digest of the evidence on the Andover inquiry, with introductory remarks, by a barrister; and it was impossible to read it without feeling assured it proceeded from the same quarter as the letter. The very words were in many instances almost identical. He had as little hesitation in saying that this digest, as it was called, was a most disgraceful garble, and that the introductory remarks, professed to be written by a barrister, were full of mistakes. The hon. Member read an extract from the digest relating to the dismissal of Mr. Parker, observing that the force of garbling could no further go. The gentlemen who composed the Andover Committee had a right to complain of the conduct of the Commissioners in putting forth anonymous statements reflecting upon the motives which had actuated them in the inquiry. They had chosen to say that a majority of

that Committee was composed of anti-poor-law members. That statement was untrue. Eight out of the fifteen members were friends to the Poor Law. The Commissioners further said, that the enemies of the law and the personal friends of Mr. Parker were banded together in hatred against the Commissioners. Why, eight members of the Committee had been nominated at the suggestion of the hon. Member for Andover, and seven at the suggestion of the hon. Member for Cavan. The series of resolutions declaring the insufficiency of the reasons alleged by the Poor Law Commissioners for dismissing Mr. Parker, were prepared and submitted to the Committee by the noble Lord its chairman (Lord Courtenay). He took it for granted that the publication proceeded from the Poor Law Commissioners; and he wished to call the attention of the House, and of the public, to one statement which it contained with regard to Mr. Chadwick: "A discontented Secretary attempts to counterwork his official superiors, and they guard themselves against what they deem to be his injudicious and imprudent acts, by so arranging the details of their office business as to retain in their own hands all the controlling power." The hon. Gentleman also read another extract, stating that "an ambitious, conceited, or wrongheaded subordinate" had endeavoured to gain his own objects. He (Mr. Christie) considered that the Poor Law Commissioners ought to take the very earliest opportunity of disavowing—if they could do so—any participation in this publication, which cast such reflections upon their Secretary. With regard to the conduct of the Commissioners towards Mr. Chadwick, he was able, though he was not authorized, to say that Mr. Chadwick had the strongest desire for a full and most minute investigation of the conduct of the Commissioners towards him, and of his conduct to them. He (Mr. Christie) thanked the House for the patience with which they had listened to his observations. After the statement which had been made at an early period of the Session, with reference to the Poor Law Commissioners, by the noble Lord at the head of the Government, he had thought it right to abstain from making any Motion in that House with regard to the conduct of the Commissioners; but considering the part he had taken in the inquiry before the Andover Committee, he had deemed it his duty to avail himself of this opportunity of separating the conduct of the Poor Law Commissioners from the administration of the Poor Law, and of showing that the law ought not to suffer in consequence of the proceedings of the Commissioners. He might be allowed to observe that the prominent position he had occupied during the course of the investigation before the Andover Committee, with reference to the Poor Law Commissioners, came upon him, in a great measure, by surprise. When he first brought forward in that House the Motion for an inquiry into the conduct of the Commissioners towards Mr. Parker, he had not the slightest idea that such extensive and deep-seated abuses existed as were proved during the Andover inquiry. If he had been aware of the existence of such a state of things, he might have considered the expediency of bringing forward that Motion. He had always been a warm friend of the principles of the Poor Law Amendment Act; and when opposition to that measure became a party cry with the constituencies of the country in the year 1837, he published a pamphlet defending the principles of the law and the expediency of a central Commission, in answer to the attacks which were made upon it by the hon. Member for Cambridge, who was afterwards Under Secretary of State for the Home Department, and who came forward last year as the champion of the Poor Law Commissioners. He must repeat, also, the statement he made when he brought forward his Motion for the Andover inquiry—that he was acquainted with two of the Poor Law Commissioners who were most affected by the evidence given before the Andover Committee—Sir E. Head and Mr. Lewis; he had always previously entertained the greatest confidence in their abilities, and in their judicious administration of the law; and he could therefore deny that he had been actuated by any feelings of personal hostility towards them in moving for the appointment of the Committee. He willingly turned from the contemplation of the past to indulge the anticipation of a happier future with regard to the administration of the Poor Law; and he believed that the Bill now before the House would afford securities, which past events had shown were much needed, for the effectual administration of that law. He would ever feel satisfaction that he had been the instrument of exposing the injustice which laborious public servants had experienced from those from whom they deserved very different treatment; and he believed, when the ex-

citement caused by the Andover inquiry had subsided, it would be admitted by all parties that that investigation had been productive of very great benefits in preventing the maladministration of the Poor Law.

MR. ETWALL did not concur in the statement made by the hon. Gentleman who had just sat down as to the feeling entertained in the country with reference to the present Poor Law; for he knew that, in many parts of England, and in the agricultural districts especially, there was a very strong feeling against that law. He must confess that he saw no necessity for maintaining a Board in London to regulate the administration of the Poor Law; and he was not aware that any benefits had resulted from the present Commission which might lead the House to be enamoured of the system of centralization. On the contrary, he thought there were many objections to such a system. He might, however, be asked, "How can you recommend and advocate the local administration of the Poor Law after the irregularities and mismanagement which were shown to exist in the Andover Union? He begged distinctly to make the Andover Union an exception; but he believed that in general the boards of guardians were as desirous to administer the Poor Law humanely, as the Andover board of guardians had seemed determined to administer it with severity and oppression. He wished the House and the country clearly to understand, however, that the guardians elected by the ratepayers of the town of Andover had uniformly stood up for the rights of the paupers, and that they had endeavoured, so far as was in their power, to alleviate the severity of the law; but he regretted to say, that their attempts to effect this object had been thwarted by the decided opposition of the rev. chairman of the board and by the country guardians. He did not think there was any great improvement in the constitution of the Board proposed by this Bill, beyond the direct responsibility of one of the Board, who was to have a seat in that House, and who might be called upon to afford information and explanations as to the administration of the law. It was proposed that the business of the Poor Law Commissioners should in future be transacted by a President and two Secretaries. If it was considered necessary to have a board at all, he would rather see the whole responsibility borne by the President, who was to be a Member of that House, than by the Cabinet. He had hoped that the Government would have brought forward some proposal for ameliorating the severity and correcting the irregularities of the law, before they made any alteration with regard to the Central Board. He was satisfied that there was something so rotten in the present Poor Law, that, however it might be carried out—whether by a Board in London, or by local authorities—it never could be administered satisfactorily to those who were engaged in its administration, or for the benefit of those for whose relief it was intended. He might take this opportunity of observing that, at the commencement of the Session, he had given notice of his intention to bring the evidence taken before the Andover Committee under the consideration of the House; but partly in consequence of the time which had been occupied in discussing measures designed to relieve the lamentable distress of the Irish people, and partly because he thought it fair to give the Government an opportunity of laying before the House and the country the alterations they proposed to make in the Poor Law, he had hitherto deferred bringing the subject forward. He was anxious to call the attention of the House to a point which he considered of great importance. In 1834, when the Poor Law Amendment Bill was introduced into that House by the late Lord Althorp, the noble Lord stated that a very short time would elapse before the wages of the agricultural labourer would rise to the point at which they would be necessary for his subsistence. In that respect the law had lamentably failed; and there never was a more striking evidence of that failure than at the present moment, when wages had not risen in the same ratio with the increase in the price of bread. He hoped that the farmers would take this subject into consideration, and that before the labourers were too much reduced, they would make a proper and judicious advance in the wages of agricultural labourers. The hon. and learned Member for Bath had stated last night that one of the objections to the old Poor Law was, that, when relief was refused to the idle and able-bodied poor, it led to incendiarism. He begged to remind the hon. and learned Gentleman that the riots which took place in 1831 were not produced by the old law, and had nothing to do with it, but were

solely the result of a low rate of wages, which rendered it impossible for the agricultural labourers to support themselves and families. The hon. Member for Weymouth had expressed his gratification that the title of the assistant poor-law commissioners was changed by this Bill. He could not see that any advantage would result from that alteration; the title would merely be changed to that of inspectors, but the duties of the officers would remain nearly the same as at present. It was proposed by this Bill to appoint twelve instead of nine inspectors; but he thought an increase of three only in the number would be utterly inadequate to carry out a proper system of inspection. A statement was laid before the Andover Committee with reference to the visits of assistant commissioners to unions, to which he would beg to call the attention of the House. That statement showed that from October 1, 1844, to September 30, 1845, the total number of unions was 463; and that out of this number 398 were visited by assistant commissioners, and 65 were not visited at all. A summary of the visits of the Commissioners, embracing a period of three years, from 1842 to 1845, was also presented to the Committee; and it appeared from this document that during one whole year 252 unions were not visited by any assistant commissioner; that during two years of the three 48 unions were unvisited; and that five unions were not visited at all during the whole three years. He considered that Mr. Parker had too large a number of unions under his superintendence for any man properly to inspect. Taking the same years which he had previously mentioned, he found that during one year Mr. Parker never visited 57 of the unions in his district; during two years 26 unions were not visited, and in the course of three years five unions were not visited. Nevertheless, he was certain that, with regard to the West of England, those unions which were the more seldom visited by the assistant commissioners were better managed, and the way in which relief was administered to the poor in them was more satisfactory to the ratepayers and to the poor. Considering the extensive districts to which the assistant commissioners were appointed, he thought they ought to have made a representation, and many did, of the impossibility, on their part, of making a regular supervision of their districts; and great blame was to be attached to the Commissioners for not devising arrangements for regular, and, at least, annual visits to the several unions. The most efficient inspection, however, would, after all, consist in making the proceedings of the boards of guardians public. In confirmation of this view, he might here quote the opinion of the Duke of Wellington, as stated to the Andover Committee by Mr. Chadwick. When that gentleman waited on the Duke of Wellington in reference to the 4th section of the Poor Act, he pointed out that there might be many things in the administration of the law by the Commissioners, the knowledge of which by the public might not be attended with particular convenience; but the noble Duke asked, "What can be said or done about my parish which I, as a parishioner, should be shut out from knowing?" For these reasons he (Mr. Etwall) advocated publicity in reference to the proceedings of the boards of guardians; and if they were made public, those boards would never dare to decide on a poor man's case until they had first heard the poor man's story. He felt bound, after what had been stated, to mention some of the circumstances which took place before the Andover Committee. The noble Chairman proposed the following resolution:—

"That, on the whole, the preponderance of the evidence leads the Committee to believe that Mr. Parker conducted the second inquiry under difficult circumstances with ability, and a desire to do justice to the parties implicated."

Now, being strongly impressed with the manner in which that inquiry was conducted, he (Mr. Etwall) could not suffer that resolution to be passed; and, consequently, he moved the following Amendment:—

"That, on the whole, the preponderance of the evidence leads the Committee to believe that Mr. Parker did not conduct the inquiry with that strict impartiality which ought to characterize the conduct of the presiding officer at such an investigation."

That Amendment was carried by a majority of one vote. On its being then put as the main question, the hon. Baronet opposite did not vote, and the numbers were consequently equal. The noble Chairman gave the casting vote, which naturally went in favour of his own resolution; but he (Mr. Etwall) said that, practically, his resolution was carried, to the effect that Mr. Parker did not conduct the inquiry with strict impartiality. It had been observed, that the poor felt great objection to the regulations of the Commissioners, because they were the rules of three indi-

viduals, and were not embodied in an Act of Parliament. He admitted the truth of this observation to a certain extent, but he could not go the whole length of it. He could not go so far as to agree in the opinion that before the present Bill passed, it was desirable that those rules and regulations should become the law of the land, for he thought it extremely desirable that they should be completely blotted out; and, if there must be a Board in London, he trusted that one of their first acts would be to frame other regulations. The right hon. Baronet the Secretary for the Home Department said last month that it never was intended that there should be strict uniformity by this law. Then he (Mr. Etwall) had always been labouring under error, for he thought that one of the greatest advantages proposed to be derived from this Poor Law was the establishment of uniformity throughout the whole of England; although uniformity had not been carried out. Taking, for instance, the labour test, which was the result of one of the most important rules made by the Commissioners, he found that the labour test was strictly and cruelly enforced in the south and west of England, though it was not dared to be put in force in the great towns and places in the north of England. Could the law, then, be essentially good in itself, when that uniformity which the great supporters of the law considered to be its essence could not be enforced? The hon. Member for Weymouth had so fully gone into the case with respect to the Commissioners, that little remained for him to say on the subject. By the evidence taken before the Andover Committee, he found that a case was drawn up by the Commissioners, and that the opinions of the late Attorney and Solicitor General and Mr. Tomlinson were taken on it. He would prove that that case, so drawn up for a legal opinion, was erroneous. It did not state the facts as to the manner in which the business was conducted at Somerset House. The fourth section of the Act enacted—

"That the said Commissioners shall make a record of their proceedings, in which shall be entered in writing a reference to every letter received, whence, its date, the date of its reception, and the subject to which it relates, and a minute of every letter written, or order given, by the Commissioners, whether in answer to such letters received or otherwise, with the date of the same, and a minute of the opinion of each of the members of the Board of Commissioners, in case they should finally differ in opinion upon any order to be given, or other proceeding of the Board."

Was this part of the law carried out by the Commissioners? No! They were daily acting in flagrant opposition to it. They were sending letters to their assistant commissioners, giving suggestions and orders relative to the unions, and to many other most important points—letters which he held to be official communications—without complying with the directions of the law as to the keeping of a proper record of them. He would now read to the House extracts from the case drawn up by the Commissioners for a legal opinion. The case stated, that

—"every letter received is opened by a clerk specially charged with the duty, and is at the same time stamped with a stamp, showing the date of its receipt, and is immediately numbered in a consecutive order from the first to the last day of the year, and a note is made in a book of every letter so received, in the order of the number affixed to it. The book in which these numbers are consecutively entered secures a knowledge of every letter that enters the office, and is adopted for this purpose, and with a view to official convenience in other respects.

"If a letter be received from any assistant commissioner, it is entered on a sheet with the same headings as those described."

And the case then went on to refer to communications relating to particular parishes or unions. Now, it was proved by evidence before the Andover Committee, that there were many letters written which were never thus entered. There were the letters in Mr. Day's case, signed by Mr. Nicholls on behalf of his colleagues, which, it could not be denied, were official, because, the correspondence having by some means been published, Mr. Lumley thereupon wrote to Mr. Day, stating that the Commissioners were surprised that he had suffered this correspondence, which was of an official nature, to be published in the newspapers. Then, with regard to another letter, there was no proper record made of it; but merely an allusion to it on a piece of rough paper, which was pasted in the book. He had spoken in strong terms relative to the mode in which Mr. Parker conducted the Andover inquiry; but, considering the evidence before the Andover Committee, he had no hesitation in saying that he thought the manner in which Mr. Parker was treated by the Commissioners, was anything but becoming the character which the Poor Law Commissioners of England ought to maintain. And the way in which Mr. Day was tempted to send in his resignation was perhaps even worse. If a proper record had been kept of these letters, there would

not have been so many versions of the reasons for which Mr. Parker was dismissed; nor would the right hon. Baronet (Sir J. Graham) have fallen into the error of stating that Mr. Day was dismissed on account of the reduction of the establishment, while the reason alleged by the Commissioners for wishing him to resign was the state of his health. There was a letter written by Mr. Lewis to Mr. Day, directing him to what district to apply his superintendence; that was unquestionably an official Act, but there was no record of it. The hon. Member for Weymouth had stated how many days Mr. Nichols transacted the business at Somerset House alone; these individual Acts were decidedly in violation of the law. In 1834, when this law was introduced, and when there were many objections made to the great powers which were proposed to be given to the Commissioners, Lord Althorp said—

"I shall be most happy, indeed it is my intention, to take away all immunities from the Commissioners which are not essentially necessary; not to give them any, unless they are acting in a corporate capacity."

Now the Commissioners seemed to have entirely forgotten that they were to act in a corporate capacity; and instead of their acting individually being the exception to the rule, their acting collectively and in a corporate capacity was the exception. He opposed this law from a deep and conscientious conviction, that it was neither beneficial to the industrious labourer nor advantageous to the ratepayer; and he should support the Amendment of the hon. Member for Knaresborough, thinking that there was no necessity for a Central Board to administer the Poor Law.

Viscount COURTENAY did not intend, nor should he feel justified in following either of his hon. Friends who had just spoken, in detail through the statements they had addressed to the House. Still, as he had the honour of being chairman of the Committee, respecting the report of which so much had been said during the course of this discussion, he might be permitted to offer a few observations to the House. He did so for two objects: first, he was anxious, as he had not an opportunity as chairman of expressing his opinion but by his vote on many of the resolutions that were adopted, and he was anxious now to state how far he agreed and how far he disagreed with those resolutions; secondly, he was desirous to have an opportunity, however briefly, of stating his views on that which was perhaps the more immediate subject of discussion, he meant the Bill now before the House. It was his misfortune not entirely to agree with any of the views which were represented, so to say, by the different members of that Committee. He had the honour of submitting to that Committee a certain body of resolutions, which underwent a discussion which he was bound to say was carried on with a degree of personal kindness to himself, for which he should be sorry to omit that or any other opportunity of expressing his acknowledgments. The result of that protracted investigation and discussion was, that a certain body of resolutions were agreed upon and presented to the House, addressing themselves respectively to three subjects of inquiry: first, the administration of the law in the Andover Union; secondly, the conduct of the Poor Law Commissioners in reference to the investigation in the Andover Union, and also the circumstances under which they called upon Mr. Parker to resign; and, thirdly, as to the subject included within the jurisdiction of the Committee at a subsequent period, namely, the case of Mr. Day. He thought the evidence before the Committee showed—and he felt himself unable to avoid coming to the conclusion from the evidence stated before them—that there had been great mismanagement in the board of guardians on what was submitted to their investigation; and he could not avoid coming to the conclusion that the administration of the law had been marked upon the part of the guardians of the Andover Union by very unnecessary harshness. He felt bound to say, as had been said by his hon. Friend the Member for Weymouth, that that investigation, protracted as it was, unnecessary as were, perhaps, some of the topics on which the inquiry rested, on the whole was useful by pointing public attention to that which he considered the unduly harsh mode of administering the law. The next head of the inquiry was the conduct of the Poor Law Commissioners, with respect to Mr. Parker, and the circumstances under which they called upon him to resign. He was not asking, nor would this be the time to re-open the case of Mr. Parker, or to inquire whether or not the Commissioners were justified, in the course they had pursued with regard to Mr. Parker. His own impression was—he stated it frankly, and did not shrink from doing so before the Committee—his own impression was, that no evidence was

laid before them which showed that the Poor Law Commissioners were justified in the course they took with respect to Mr. Parker. He thought that Mr. Parker's superintendence of the Andover Union was marked by an absence of that attention and vigilance which, he thought, if they had been bestowed, might have prevented many of the evils that had resulted; but he also thought that neither that nor any portion of Mr. Parker's conduct, with respect to the investigation that was brought before the Committee, justified in his mind the Poor Law Commissioners either as to the manner or the tone in which that dismissal was expressed. He had the honour to suggest a resolution which was afterwards carried, blaming the Poor Law Commissioners for the conduct pursued in reference to that case, and to the dismissal of Mr. Parker. He was bound, in justice to Mr. Parker, to say, and he should not shrink from saying it, that although in some instances his superintendence might be defective, there was strong evidence given of the laboriousness—of the unwearied perseverance—with which Mr. Parker had devoted himself to very important duties in connexion with the Commission in a former position as Secretary, and as to his efficiency on other occasions as an assistant commissioner. The third subject of inquiry—the case of Mr. Day—it might be right to touch upon, because the conduct of the Commissioners in reference to their assistant commissioners had formed a prominent subject in this discussion. And he must declare, that while out of this Andover inquiry, few, if any, of the persons who brought forward charges came wholly free from blame, he thought that the individual, to whom least, if any, blame attached, was Mr. Day. He was bound to say that, upon the evidence adduced before the Committee, there did not appear to him any justification whatever of Mr. Day's dismissal. It was painful to him to express this opinion, having had for many years the pleasure of a personal acquaintance with two of the Members of the Commission, and having been brought into communication with the third, Mr. Nichols, under circumstances which conveyed a deep impression of his ability, and zeal, and judgment, when he was engaged in the introduction of the Poor Law into Ireland; but justice required that the opinion should be stated. There were also one or two resolutions with respect to which he (Lord Courtenay) was anxious to say a few words. The 6th Resolution, with regard to the union books, had been already alluded to :—

"That the Committee have been informed of a strong representation made by Mr. Parker to the Poor Law Commissioners shortly after he joined the district, including Andover, of the disgraceful state of the accounts and the workhouses in many of the unions of the district, and of special representations made by him as to the accounts in the West Farle and Wycombe unions, which seem to have received no attention whatever from the Poor Law Commissioners."

These matters were but incidentally alluded to, and were not subjects upon which the Committee were called upon to report; and, with regard to the Wycombe Union, he felt obliged to dissent from this resolution, because he did not see evidence which justified the Committee in pronouncing that opinion. Least of all could he concur with it when it went on :—

"And these are not the only circumstances disclosed in the evidence which have led the Committee to the conviction that the Poor Law Commissioners have not given that encouragement to their assistant commissioners in the detection and removal of abuses which would have been the best security for the zealous services of their subordinate officers."

To that resolution he should be unwilling to be considered as giving his assent. Neither did he assent to the last resolution but one :—

"That, on a review of the conduct of the Commissioners with respect to the Andover inquiries, and towards Mr. Parker and Mr. Day, the Committee are of opinion that their conduct has been irregular and arbitrary, not in accordance with the statute under which they exercise their functions, and such as to shake public confidence in their administration of the law."

He differed from that resolution, first, because though he believed the Commissioners' proceedings to be, in some respects, irregular and arbitrary, there was no evidence before him which brought him to the conviction that they were at variance with the provisions of the statute; and, looking to the difficult circumstances in which they were placed, the extent of their duties, the way in which, in some instances at least, as shown in this inquiry, they had been thwarted by the guardians with whom they had to act, he was not prepared to take so strong a step as to pass such a censure as this upon the Commissioners. He felt it rather consonant to his own sense of what was right to express an opinion upon individual acts, either arbitrary or irregular; and he dissented from so general and unqualified a censure. With regard to the Bill before the House, he thought it gave

reason to hope that the future administration of the law would be conducted under a greater responsibility, and with more of regularity than had been the case heretofore. That part which provided for a more direct Parliamentary responsibility appeared to him likely to be beneficial; as well also as the substitution of inspectors, to be sent to particular districts when occasion might require, in place of the assistant commissioners. He should support the Bill, in the belief that the alterations it introduced would supply a more efficient guarantee for the due and regular administration of the law. Much of this discussion had turned upon the general principles of the law. He should not have given his assent if he saw reason to anticipate a departure from the sound and prudent arrangement which, while abstaining from imposing a harsh and unbending series of rules and regulations sanctioned by Parliament, would at the same time secure that degree of uniformity which was essential to the just administration of the law. He should oppose the Bill if he thought the Government contemplated any material alteration in principles. He believed that the principles of this law, impeded as they might have been in some instances by bad local administration, and carried out in others with excessive rigour, were upon the whole sound and safe, and that we should be materially prejudicing the prosperity of the country were we to take a step backwards, and to shrink from carrying it out, gently, but still steadily and firmly.

Captain PECHELL thought, that after the speech of the noble Lord who had so ably presided over the Andover Committee, the House would be surprised at the delay which had occurred in the introduction of a measure for altering the law. But the Government would not admit that they had been influenced by the results of that inquiry. Were they satisfied, then, with the mode in which the Poor Law Commissioners had exercised their functions? Did they hold that the Commissioners had conducted their business as a public board in accordance with the Act of Parliament? It had been proved that the Secretary was often relegated to the attic, while the whole business of the Commission was transacted by one Commissioner. Were such considerations not likely to have acted on the noble Lord at the head of Her Majesty's Government? But when the House was told that the *exposé* made on the Andover inquiry was not one of the reasons which operated on the Government, then they could only ask what it was that could have induced the Government to dispossess the Commissioners of their powers, and appoint others with still greater powers, which might be exercised in a political sense with very great advantage to the Government, though not to other parties? The powers of the new Commissioners might be misused, as the powers of the old Commissioners had been. The question which had been raised was, what had the Commissioners done as a board? The Secretary of the Commission had described their conduct; and of the Secretary he must say, that gentleman had conducted his business most ably and efficiently. Having in the first instance been placed on the Commission of Inquiry into the Poor Laws, Mr. Chadwick arranged the machinery of the Commission, and was afterwards appointed Secretary; when the Commissioners transferred him to the garret, where he was employed in drawing out statistical statements. Much had been said of the definition of a board by Johnson and others; but they found instances in which one Commissioner only was present, while another Commissioner was running about from one room to another; and the sanction of the one, giving authority to an order of "the Board," was obtained out of sight and hearing of the other. One of the Commissioners had remarked, that Mr. Chadwick's views of a board were most extraordinary, as appeared from a statement of Mr. Parker's. Another Commissioner observed, that a board was an analogical term, a quorum of persons appointed to act in a particular matter. It seemed as if they thought that when sitting separately, pasting scraps of Minutes in the Minute-book, and calling these orders of the Board, they were doing their duty according to the Act of Parliament. He knew not if the noble Lord, in bringing in this Bill for the annihilation of the Poor Law Commissioners, would disclose the precise considerations which had acted on his mind; but as no reason was stated, it could only be conjectured that the noble Lord had seen a letter which it might be supposed the right hon. the Secretary for the Home Department had intercepted, and which purported to be an answer to a question from a foreign country, a communication to a gentleman in China. The writer said —"We have in England a set of people who are called 'boards;'" and he went on

to remark of a board, that "the harder and thicker it is the better; but if it splits it is done for." It was a common expression in this country that a man was "boarded and done for;" and it was said that circumstanced as England was, there were so many boards that the poor were often "done for." He hoped that under this Bill Commissioners would be appointed to carry out the law in the spirit in which it was framed, and in order that there might not be a repetition of those disgraceful occurrences, the existence of which had been proved before the Andover Committee. It was extraordinary that, notwithstanding all that had been said at several times against the bone-crushing system, the Poor Law Commissioners had continued it for several years, pretending all the while they knew nothing about it. It never was intended that paupers should be subjected to such labour as a test before they received relief. Another sufficient cause for the proposed change in the administration of the Poor Law was, that the Commissioners used a restricted dietary not in conformity with the rules in the printed annual report of the Commissioners; and that dietary was still further diminished by the peculations and dishonesty of the master. The conduct of the Commissioners towards Mr. Parker and Mr. Day, who had so faithfully and efficiently served the public was most improper. Mr. Day, in reference to the treatment he had received, had thus expressed himself—

> "It's a very good world we live in,
> To spend or to lend or to give in;
> But to beg or to borrow, or look for your own,
> It's the very worst world that ever was known."

He was very desirous of a change of the present law, but he felt himself in a difficulty. If he voted against the second reading, it would be said that he left the gentlemen of Somerset House untouched; and if the Bill passed, they were to be prevented making any observations or charge in reference to the administration of the Poor Law without being considered as against the Government. The noble Lord at the head of the Government had suggested that one of the advantages of passing this Bill would be, that they would have men in both Houses of Parliament to discuss what amendments of the law would be necessary. He only hoped that they would have such amendments of the law as would prevent the recurrence of many of those practices which the Poor Law Commissioners had tolerated. The hon. and learned Member for Bath (Mr. Roebuck) had stated that the Commissioners had been influenced by that great public organ, *The Times* newspaper; that they had quailed before that journal; and he blamed them for doing so. He did not think they had quailed before *The Times*, when they tolerated bone-crushing and many other practices which had been complained of. He was very desirous to carry out the view of the Andover Committee with respect to the Poor Law Commissioners having lost the confidence of the country; and he was also anxious, if possible, to do away with a central control; but if they were to have a central control, the Government could not do greater harm than by holding out threats that they were going to centralize the whole kingdom and abolish all local Acts, including the unfortunate corporations under the Gilbert Act, which had survived, and he hoped would continue to survive, the Poor Law Commissioners. The hon. and gallant Member concluded by declaring his intention of opposing the second reading of the Bill.

MR. MANNERS SUTTON said, that three subjects, each of them of great importance, but still each distinct from the other, had been brought under the consideration of the House in the course of the present discussion. In the first place, the hon. Member for Knaresborough, in moving that this Bill be read a second time that day six months, addressed himself mainly, if not entirely, to the merits of the law of 1834; the same question had also been touched upon by several subsequent speakers; but inasmuch as it was not intended by this Bill to alter that law, he did not think it necessary to enter into that part of the question. His hon. Friend the Member for Dorsetshire (Mr. Bankes) next applied himself to the question which was more particularly the subject of discussion, namely, the Bill introduced by Her Majesty's Government. That hon. Member had stated the objections which he entertained to the Bill, and then expressed his intention of concurring in the Amendment of the hon. Member for Knaresborough, although dissenting from the grounds upon which that Amendment was based. Subsequently to these two speakers, a third subject had been brought under the consideration of the House—one almost equally important with the others to which he had adverted, but still he must take leave to say, perfectly distinct—he meant the conduct of the Poor Law

Board; and to that subject, with the permission of the House, he wished in the first instance to address himself. His noble Friend the Member for Devonshire (Lord Courtenay), who acted as chairman of the Andover Committee, had arranged the subjects into which that Committee was appointed to inquire, under three heads; and in that course he should follow the noble Lord. Before doing so, however, he begged to remind the House, that he could not concur in the report of the majority of that Committee; that was to say, he did not concur in that part of it which referred to the conduct of the Poor Law Commissioners, though he concurred in many other parts of it; and here he begged to be allowed to express his satisfaction at having learned very early in the present Session of Parliament that his humble opinion in this matter was strengthened by the concurrence of Her Majesty's Government. He was justified in saying this both by the acts of Government, and by some observations which fell from the noble Lord at the head of the Government on a former occasion, because, if the Government had concurred in the resolutions of the Andover Committee, they would never have felt it to be consistent with their duty either to themselves, the Committee, or the public, to retain men in their service whom they believed to be guilty of the conduct imputed to them by that Committee. He begged also to be allowed to express his regret, that the right hon. Gentleman the Secretary of State for the Home Department had not taken occasion, in his speech on the previous night, to explain to the House the views entertained by Her Majesty's Government. He regretted it the more because, if the right hon. Gentleman had explained the views of Government, it might have relieved him from the necessity of intruding upon the House. He felt convinced, however, that the noble Lord at the head of the Government would, before the conclusion of the debate, redeem his pledge and state his views to the House. He begged now to follow the noble Lord the Member for Devonshire (Lord Courtenay). That noble Lord had stated, and stated truly, that the first point to which the Committee directed their inquiry was, the administration of the law in the Andover union. His noble Friend had also stated with great force, although very shortly, the evils which were brought before the consideration of the Committee in the evidence submitted to them; and had very correctly acquainted the House with the opinion which the Committee entertained on that subject. He thought he might say that that opinion was unanimous; he was not aware of one dissentient voice; but although he was perfectly prepared to concur in the conclusions at which his noble Friend had arrived on this point, he was not prepared to concur in some of the inferences and deductions which he believed had been drawn from it by some members of the Committee, as well as by some of the public—that was to say, that while he perfectly admitted that great maladministration did exist in the Andover union—that there was a laxity of administration, joined with severity, which inflicted great hardship on the poor—he was not prepared to saddle the responsibility of those things on the Poor Law Commissioners. He admitted that their functions were extensive, and their powers great; but, as had been rightly stated in an earlier part of the evening, their powers and functions were more of an inspective than an executive character, as respected the administration of the Poor Law in the different districts of the country. He admitted that, whenever an abuse was brought to their knowledge, and they neglected or refused to inquire into it, they ought to be held responsible for it; but if, when sitting in Somerset House, they should be blinded or misled by the *laches* of the assistant commissioners, or by any other means, and their ignorance did not arise from their own negligence, he held that they were not justly responsible for any evils, wherever they existed. Now, this was clearly shown to be the case in the Andover Committee. He held that that evidence clearly established, that the guardians and the assistant poor-law commissioners were responsible. For what was the evidence received on this point? It was this: that in the month of February preceding the investigation, the assistant poor-law commissioner (Mr. Parker), upon a personal visit to Andover, reported that all was going on favourably. It was true, that on a division, the insertion of this particular report was excluded from the resolution of the Committee; but still it remained in the evidence; and, as an appeal had been made to the evidence by several Members of that House, he begged to be allowed to appeal to the evidence also, and to say that that report completely exonerated the Poor Law Commissioners from any blame of the maladministration at Andover. His

noble Friend had then proceeded to notice the conduct of the Commissioners with respect to Mr. Parker and Mr. Day. Now, he did not stand there as the advocate of the Poor Law Commissioners; he stood there to defend them against imputations and accusations which he believed to be ill-founded; but he was perfectly prepared to admit when he thought them wrong; and he thought there was not a more imperative duty which a public man was called upon to discharge—however high his position might be, as in the case of the noble Lord opposite (Lord J. Russell), or the right hon. Gentleman (Sir G. Grey), or however humble, as in his own case—than to defend against accusations which he himself conscientiously believed to be unfounded, any public officer with whom he might have been officially connected. He said, then, distinctly, that in respect to the conduct of the Poor Law Commissioners in that inquiry, he thought there was one point on which they had shown indiscretion; but he did not concur in the resolution of the Committee. He differed from the opinion of the Committee, because he thought the granting of the adjournment of the inquiry by Mr. Parker unnecessary; but, being granted, he thought the overruling of it by the Commissioners, indiscreet. With respect to the manner in which Mr. Parker had conducted the inquiry, he maintained that the evidence submitted to the Andover Committee distinctly showed that he conducted it with very great partiality. He would not trouble the House with an analysis of the evidence on this point; but he would remind them that there was not merely the general impression on the minds of the witnesses, but particular cases were mentioned which were not disproved, in which great partiality was shown. Visitors who had dropped in to see the sight—men of respectable station, clergymen with cure of souls, and others—stated most strongly that great partiality had been shown by Mr. Parker. He now came to the case of Mr. Day; and he at once admitted that the case against Mr. Parker was stronger than the case against Mr. Day. He took the two cases, however, conjointly, because his justification of the Commissioners rested on the same principle, though on somewhat different grounds. In considering this point, he begged to advert for a moment to the position in which the assistant commissioners stood to the Poor Law Commissioners. The Poor Law Commissioners were responsible, and had been held really responsible, for the conduct of their subordinates. In imposing that responsibility, Parliament deliberately voted them both the power of appointment and removal; and it would not be fair to make a man responsible for his subordinates, unless he had that power. He felt justified in repeating the assertion he had already made, that the Committee had not resolved that the Commissioners were not justified in the removal of Mr. Parker. Mr. Parker's conduct in the second inquiry was one of the reasons which induced the Commissioners to remove him from his office; but it was not their only reason. The Andover Committee picked out only two of the reasons which the Commissioners had for removing Mr. Parker; and they summed up by saying that the time and manner of his dssmissal had been productive of great hardship to him. The Poor Law Commissioners were unanimous in censuring Mr. Parker's conduct. They were examined separately, but they all came to a similar conclusion, though in some respects upon different grounds, namely, that Mr. Parker had lost their confidence, and that it was not expedient to continue him longer in his office. There were, in his opinion, sufficient grounds for the loss of confidence; but whether there were or not, it was unjustifiable to impute corrupt motives to public officers unless the imputation could be sustained by proof. Mr. Parker distinctly stated the Commissioners required his resignation only for the purpose of throwing upon him the odium to which they themselves were justly obnoxious; not a tittle of evidence was given in support of that imputation. The case of Mr. Day differed from that of Mr. Parker in this—that the Commissioners attributed no improper conduct to Mr. Day. The cause of calling on Mr. Day for his resignation was this—it was discovered, in the course of an inquiry into the disturbances in Wales, that the Poor Law in Mr. Day's district had been badly administered, and therefore the Commissioners felt it necessary to remove him, although they bore testimony to his ability and integrity. What then was there in the time and manner of the removal of Mr. Parker and Mr. Day to justify complaint? They were removed precisely at the period when the necessity for taking that step became apparent in order to ensure a more efficient administration of the law in their respective districts. Other

charges were made against the Commissioners, to which he would advert only for the purpose of showing the animus which suggested them; for, as any one who would read the evidence must perceive, they were totally unsustained by proof. One of these charges was that the Commissioners discouraged their subordinate officers. Mr. Chadwick came forward and said that Mr. Lewis had discouraged him, because, when he presented a report about Bolton in 1840, Mr. Lewis did not adopt the suggestion Mr. Chadwick made. On Mr. Chadwick being cross-examined, it turned out that he never offered any suggestions to Mr. Lewis beyond what might be held to be contained in his report; and he said that all he meant was, that Mr. Lewis's manner was very discouraging. It was fortunate that the Commissioners did not act upon the recommendation contained in Mr. Chadwick's report, which was this, that in 1842, when Bolton was visited with severe distress, the Commissioners should at once have stopped the system of out-door allowances, which had been uniformly adopted in that town in all seasons of distress. If that had been done, it was impossible to doubt that an outcry would have been raised, not against Mr. Chadwick, for it would not have been his act, but against the Commissioners. And the very persons who now blamed the Commissioners for not having adopted Mr. Chadwick's suggestion, would have been the first to declaim upon the cruelty of their proceedings. The Commissioners were stated to have discouraged other of their subordinate officers; and the hon. Member for Weymouth said that no evidence had been offered in disproof of those statements; but surely the *onus probandi* lay upon the party who made the charge. Mr. Chadwick, however, offered no proof in support of his charge; it rested entirely on his *ipse dixit*. As Mr. Mott's case had not been brought forward in the debate, he did not feel it necessary to advert to it; and all he would say of that of Mr. Jenkin Jones, which had been referred to, was that strict justice had been observed in the treatment of that gentleman. There was only one other point relating to the conduct of the Commissioners to which he would allude, and that was the mode in which they kept their record. It was a point on which high legal opinions were divided; and laymen like the Commissioners might surely be excused for having followed a practice which two law officers of the Crown had deliberately decided to be in accordance with the law. With respect to the Bill before the House, it appeared to him that his hon. Friend the Member for Dorsetshire raised the real objection to it when he referred to the objection in the public mind to an Act which combined in one board legislative with executive functions. That, he frankly admitted, constituted the great difficulty in dealing with the question. If his hon. Friend could point out any mode by which the two functions could be separated, he would gladly concur in its adoption; but the remedy which his hon. Friend proposed was worse than the disease. His hon. Friend's proposition was, that all the orders which might be deemed expedient, should at once be enacted. The answer to that proposition was, first, that the law was not generally applied; and, secondly, that it was not generally applicable. A rule suitable to the southern parts of the country could not be acted upon in the northern parts. Another and a more important objection was, that if the legislative and executive functions were disjoined, it would be impossible to deal with cases in which, at a moment's notice, it was necessary to modify the rules. That objection could be obviated only by giving the Commissioners the power of reversing an Act of Parliament; and there was little difference between that and the power of making rules to have the effect of one. The proposed alteration in the form of the Commission was a great improvement. As to the objection which had been raised to placemen having seats in the House, he was not apprehensive that the power of the Crown would ever become predominant in the House of Commons. It would be of advantage to the public, and productive of convenience to the Commissioners themselves, that they should be brought into closer connexion with the Houses of Parliament. They would thus become more directly responsible to Parliament, and more conversant with the feelings of Members of the Legislature.

Debate adjourned to Thursday.

SUPPLIES—THE CHURCH.

The Order of the Day for the reception of the Report of the Committee of Supply, on the 16th Resolution (relating to the expenses of the Ecclesiastical Commission), read. On the question that the resolution be read a second time,

Mr. W. WILLIAMS opposed the Motion, on the ground that the amount voted

for the expenses of the Ecclesiastical Commission (3,450*l.*), being for the benefit of the Church, ought not to be paid out of the public purse.

LORD J. RUSSELL had already, in Committee of Supply, stated his reasons for supporting the vote, and he had nothing to add on the present occasion.

MR. BROTHERTON hoped his hon. Friend would not divide; because if he did, he must as a matter of principle divide with him; and he really did not like thus splitting straws when the amount was so small, and the question was in so equivocal a state. If the public were thus paying 3,000*l.* for the Ecclesiastical Commission, might not the Church turn round and say they paid 36,000*l.* for registering births, deaths, and marriages—a measure adopted for the benefit of Dissenters? He liked to divide on a great principle, not on a small sum like this, and under such circumstances.

The House divided:—Ayes 76; Noes 8: Majority 68.

List of the AYES.

Acland, Sir T. D.	Howard, hon. E. G. G.
Antrobus, E.	Hudson, G.
Arkwright, G.	James, Sir W. C.
Bailey, J. Jun.	Jolliffe, Sir W. G. H.
Bankes, G.	Langston, J. H.
Bannerman, A.	Lockhart, A. E.
Barrington, Visct.	Macaulay, rt. hn. T. B.
Bellew, R. M.	Maitland, T.
Bentinck, Lord G.	Martin, C. W.
Burroughes, H. N.	Masterman, J.
Carew, W. H. P.	Maule, rt. hon. F.
Cavendish, hon. C. C.	Milnes, R. M.
Cavendish, hon. G. H.	Morpeth, Visct.
Christie, W. D.	Mostyn, hon. E. M. L.
Clerk, rt. hon. Sir G.	Neville, R.
Courtenay, Lord	O'Conor Don
Denison, W. J.	Parker, J.
Dick, Q.	Perfect, R.
Dickinson, F. H.	Price, Sir R.
Douglas, Sir C. E.	Rice, E. R.
Dundas, Adm.	Russell, Lord J.
Ellice, rt. hon. E.	Russell, Lord C. J. F.
Fellowes, E.	Rutherfurd, A.
Finch, G.	Seymer, H. C.
Floyer, J.	Sheil, rt. hon. R. L.
Fox, C. R.	Sheridan, R. B.
Gore, hon. R.	Somerville, Sir W. M.
Graham, rt. hon. Sir J.	Spooner, R.
Greene, T.	Strutt, rt. hon. E.
Grey, rt. hon. Sir G.	Talbot, C. R. M.
Hall, Sir B.	Trotter, J.
Hallyburton, Ld. J. F. G.	Ward, H. G.
Hamilton, W. J.	Wood, rt. hon. Sir C.
Hastie, A.	Wortley, hon. J. S.
Hawes, B.	Wyse, T.
Hay, Sir A. L.	Yorke, H. R.
Heneage, G. H. W.	
Henley, J. W.	TELLERS.
Hobhouse, rt. hn. Sir J.	Hill, Lord M.
Howard, hon. C. W. G.	Tufnell, H.

List of the NOES.

Bouverie, hon. E. P.	Trelawny, J. S.
Bowring, Dr.	Wawn, J. T.
Escott, B.	
Etwall, R.	TELLERS.
Evans, W.	Williams, W.
Gisborne, T.	Brotherton, J.

Report received. Resolutions agreed to.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Thursday, May 20, 1847.

MINUTES.] PUBLIC BILLS. 1ª Debtor and Creditor.
2ª Clergy Offences; Naval Prisons; Naval Service of Boys.
Reported.—County Buildings.
PETITIONS PRESENTED. From Bristol and Sheffield, for the Enactment of Sanitary Regulations for the Health of Towns.—From Gloucester and Bristol, against the Introduction of a Clause in any future Railway Bills, compelling the Running of Railway Trains on the Sabbath.—From Stourbridge, against the proposed Government Plan of Education.—From Halifax, against the Factories Bill; and from Glasgow and other places, in favour of the same.

THE KENTISH RAILWAYS.

The DUKE of WELLINGTON rose to call the attention of their Lordships to three Bills relating to railways, the consideration of which he wished should be referred to the Railway Commission. He was most anxious that every safe and practicable measure should be taken for the purpose of giving the Government and of giving Parliament the most complete knowledge, as well as all necessary control over those modes of communication now so rapidly extending over every part of the country. It appeared to him most important that the Government should possess the most entire and complete information of all the transactions which were going forward between the parties concerned in railways, in order that measures should be taken to render those modes of conveyance as useful as possible to the public at large, and as conducive to the public service as circumstances would permit. The object of one of the Bills then before their Lordships was to continue a railway direct from Dover to the metropolis through Canterbury. That continuation, as must be evident to every one, was a great object to the town of Dover, as well as to the whole county of Kent; and he certainly was anxious that the road from Canterbury to Dover should be continued; but he was not free from apprehension that, in consequence of some transactions which had recently taken place between the parties, that object might not

be attained. His wish was that the most accurate knowledge possible should be obtained and communicated on the subject; and therefore he proposed that the Bills which then stood for a second reading should be referred to the Commissioners. The three Bills to which he alluded were the South-Eastern Railway (North Kent line), the South-Eastern Railway (Stroud to Maidstone), the South-Eastern Railway (Mid-Kent and Direct Tunbridge).

Lord BROUGHAM was glad that his noble and gallant Friend had taken this matter into his own hands, because it was a most grievous thing to the public that parties should be allowed to come to an understanding on these matters amongst themselves. He knew that it was the noble Duke's constant recommendation to Parliament, when these railway schemes first began, that much more superintendence and care should be taken of them than was at the time unfortunately taken; and he was always of opinion that Government ought to exercise greater influence over these railways than they did.

The Earl of RADNOR observed that it was owing to the opposition of the landowners of Kent that the railway was carried round instead of going direct through Canterbury.

Earl FITZWILLIAM reiterated the opinion which he had formerly expressed, that the whole question should be taken into the hands of Government.

Lord REDESDALE wished to ask the Government whether it was their intention to proceed with the Bill for giving powers to the Railway Commissioners during the present Session of Parliament. Such a measure was absolutely necessary; and if not passed during the present Session, it might not be so easy to pass it in the ensuing Session, when the railway interest might acquire greater strength in the Legislature.

The Marquess of LANSDOWNE replied that the attention of the Government was very seriously directed to the subject.

Bills to be referred to the Commissioners of Railways.

CLERGY OFFENCES BILL.

The Bishop of LONDON, in moving the Second Reading of this Bill, said, that considerable alteration had been made in the present measure as compared with the Bill of last year, and he hoped that the changes which had been made would prevent much ill-feeling on the subject. In the first place, he wished to state that an attempt was made, and very undeservedly, to cast imputations on the Bill, upon the ground that its provisions were of an arbitrary character. He trusted that when its provisions came to be examined, those imputations would appear wholly unfounded. He wished further to state, that there would not be under this Bill any interference with the clergy upon doctrinal points, except in such cases as should be specially provided for. Another point of alteration was, that parties were to be examined before the diocesan council, with the power of cross-examining witnesses—a power which was not previously possessed; they would be examined by an excellent body of men, the cannons residentiary, or the rural deans. The changes made in the present Bill would also obviate many of the objections which had been urged against the former measure, because it would provide that no parties, except the bishop of the diocese, should be entitled to proceed against a clergyman for an offence not committed within the preceding five years. Under the old law the clergy might be brought before a court consisting of a single individual; but now they might be brought before the bishop, assisted by lawyers of experience and others of their brethren. He should be happy to attend to any alteration that might be suggested for the improvement of the Bill; but he hoped that there was nothing in it contrary to the spirit of the constitution of the Church or of the constitution of the country. The right rev. Prelate concluded by moving the second reading of the Bill.

Lord BROUGHAM was not prepared to deny that some measure was necessary to remedy the defects which had been so long complained of in church discipline over the members of that body; and if there had been any doubt upon the point, several recent cases before the courts had completely shown the impotence of the present law to correct the abuses that prevailed. At the same time, he was not prepared to say that the whole of this measure ought to receive the sanction of the House; and in particular there were two points to which he wished to call their Lordships' attention. The first was the revival for certain purposes of the Court of Delegates—a court than which no criminal had gone to his doom with the more unanimous consent of the bystanders; and the second was the constitution of the diocesan council, which he thought would

be possessed of too much power, inasmuch as three out of the five who composed the council could not be challenged. But he would leave it to a more convenient opportunity to discuss those points, hoping, that as he had no wish to obstruct the progress of the Bill, the right rev. Prelate might in the meanwhile be enabled to remove the cause of his objections to it. He might, however, say that there was one part of the Bill which he most entirely approved of, and that was the clause which gave the power of selecting the diocesan court or the Court of Arches. That clause—in short, the whole measure—had been most carefully framed, and evidently by a person who was well acquainted with the subject.

The BISHOP of LONDON observed, that it was drawn by his right rev. Friend near him (the Bishop of Exeter).

The BISHOP of EXETER was much obliged to his noble and learned Friend for supporting this Bill. That it admitted of improvement, no one could deny; but he was surprised to hear the noble and learned Lord complain of the revival of the Court of Delegates—a court that had existed for centuries without having any reflections cast upon it. He was glad of the promised assistance of his noble and learned Friend in modelling this Bill; and he hoped it would become an efficient and perfect measure. On all questions of doctrine, however, he thought there ought to be a numerous court of divines to determine those questions, and he hoped that in Committee such an amendment would be made; and he thought the diocesan council would work well. But he merely threw this out as a suggestion, as he wished, without violating any principle, to make the measure satisfactory to their Lordships, gratifying to the clergy, and bearing on its face the most benignant character. As to the bishops, there was a most efficient discipline; for when they offended against the ecclesiastical law, they were to be tried by the archbishop, who called to his aid six bishops. It was for the clergy at large that further legislation was necessary.

The LORD CHANCELLOR assured their Lordships that no one was more sensible of the defects of the law, or was more desirous, while he corrected their faults, of protecting the clergy against accusations which were false. But, at the same time, he could not feel very confident that the happy time was come when this could be effected. He had himself introduced a Bill to apply a remedy, which had passed through Committee without opposition; it had been approved by all parties, and it was introduced with the unanimous concurrence of the right rev. Bench, and, but for the unfortunate interference of the right rev. Prelate who spoke last, the Bill would have become law. It had, however, been lost; and the result was, that all parties now agreed that some Act was necessary. In his Bill he had proposed a preliminary inquiry, with an appeal to the Judges of the Court of Arches; and he thought it of importance to provide a court of review, not only to protect individuals, but because the fact of a right to appeal made the party who pronounced the original judgment more cautious; and he confessed he preferred any respectable and competent body to restoring the Court of Delegates, where the judges would be only selected for each particular question. The great difficulty he had met with was how to defray the expense, and at the same time have a competent tribunal. He was of opinion that the accused party ought to have the right either to submit, if he pleased, to the jurisdiction of the inferior court, or, if he preferred it, to carry the cause at once from the diocesan court to the Court of Arches.

The BISHOP of LONDON expressed his willingness to make any modification in the Bill that would tend to promote its object, which was to effect speedy and inexpensive justice.

LORD CAMPBELL did not like the idea of the Court of Delegates being revived. It had been universally condemned; and he believed it would never again be tolerated. It was always considered a very defective tribunal; and the present measure was not calculated to reform it. The principle upon which the court was constituted was bad, it being made for the particular occasion, and appointed to sit for each case as it arose, *toties quoties*, which was in itself a great objection. It had been made a matter of complaint that no bishop was allowed to sit in the Judicial Committee of the Privy Council. He, for one, should be very glad to see some of the right rev. Prelates present and assisting at that tribunal, which he considered a far more preferable course than that of adopting the proposed measure.

The BISHOP of OXFORD supported the Bill, and approved of the principle on which the new tribunal was proposed to be constituted. A great deal had been said about protecting the parochial clergy; he was of

opinion that the greatest protection which could be given to them was, to provide a ready means by which the innocent clergy might be protected from the disgrace which the bad conduct of a few was now capable of reflecting upon the whole body, owing to the almost impracticability of bringing punishment home to the evil-doers. As the law now existed, many disgraceful and dishonourable crimes, on the part of a few unworthy clergymen, were allowed to escape unpunished. He hoped an effectual remedy would be provided for this evil. But the Court of Arches was not the tribunal best adapted to afford that remedy; for every one knew that from its peculiar machinery, and its own way of managing its affairs, great facilities for escape were afforded to the vicious, provided they did not mind the expense.

Bill read 2ª.

NAVAL PRISONS BILL.

The EARL of AUCKLAND moved the Second Reading of the Naval Prisons Bill. In the course of the noble Earl's explanation of the nature of the Bill (in which he was almost inaudible), he was understood to say, that with reference to a subject mentioned by a noble Friend opposite (Lord Colchester) a few nights ago, namely, the enabling naval courts-martial in certain cases to pass a sentence short of death, that if the noble Baron would bring in a Bill for that purpose, it should receive his most favourable consideration.

LORD COLCHESTER did not oppose the second reading of the Bill, and would reserve some objections he had to the details until it was in Committee. He offered his thanks to the noble Earl for the kind manner in which he had received his proposition, the object of which was this—that whereas, by certain articles, naval courts-martial were restricted from passing sentence short of death, he wished that they should have the power, as in the Army, of pronouncing a sentence of death, or of such other punishment short of death, as the offence should to the court appear to deserve. He wished to see the same rule prevail in the Navy as in the Army.

After a few observations from Lord SALTOUN, Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Thursday, May 20, 1847.

MINUTES.] PUBLIC BILLS.—1° Newfoundland Government.

2° Herring Fishery (Scotland); Copyhold Commission; Turnpike Acts Continuance; Loan Societies.

3° and passed:—Transference of Lands (Scotland); Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland); Crown Charters (Scotland).

PETITIONS PRESENTED. From William Summers, Pencil Manufacturer, of No. 8, Calthorpe Place, Gray's Inn Road, London, for the Adoption of Voting by Ballot.—By Mr. S. Herbert, from Edward Dyke Poore, of Figheldean (Wilts), for Alteration of the Law respecting Church Leases.—From Ratepayers of the Parish of Kensington, for Inquiry relative to the Notting Hill District Church.—By Mr. Farnham, from Woodville, against the Roman Catholic Relief Bill.—By Mr. B. Cabbell and other hon. Members, from several places, in favour of the Agricultural Tenant-Right Bill.—From Inhabitants of Leeds, for Inquiry respecting the Anatomy Act.—By Mr. G. Hope, from Southampton, for Alteration of the Bankruptcy Act.—By Captain Berkeley, from Gloucester, for the Better Regulation of Charitable Trusts.—By several hon. Members, from a great many places, for Regulating the Qualification of Chemists and Druggists.—By Mr. R. Yorke, from Solicitors of Her Majesty's High Court of Chancery, residing in the City of York, for Inquiry.—From Commissioners of Supply of the County of Renfrew, for Alteration of the Law for the Prosecution and Maintenance of Criminals; and the Law relative to Parish Roads.—By Mr. Ferrand, from John Dawson, of Moreton Banks, Bingley (Yorkshire), for Inquiry into the Case of Mary Dawson.—By Mr. Trelawny, from Tavistock, for Comprehensive Measures of Relief.—By Viscount Adare, from Protestant Dissenters, of Dinas Colliery (Glamorganshire), against, and from Aberdare and Ashby-de-la-Zouch, in favour of, the proposed Plan of Education; and from a great many Roman Catholics, for Alteration of the same.—By several hon. Members, from numerous places, in favour of the Health of Towns Bill.—By Mr. Dennistoun, from several places, in favour of the Heritable Securities for Debt (Scotland); Transference of Land (Scotland); Burgage Tenure (Scotland); Service of Heirs (Scotland); and Crown Charters (Scotland) Bills.—By Viscount Adare, from Owners and Occupiers of Land in the Neighbourhood of Cardiff, for Alteration of the Highways Bill.—By Mr. Dennistoun, from Members of the Glasgow Emancipation Society, respecting Coloured Passengers on Mail Packets.—By Mr. T. Duncombe, from John M'Donald, late Boatswain of H. M. Revenue Cruiser "Albatross," Liverpool, for Redress.—By many hon. Members, from a great number of places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Mr. T. Duncombe, from a great many Colliers, for the Better Regulation of Mines and Collieries.—By Mr. E. Stanley, from Workington, against the Repeal of the Navigation Laws.—By Mr. Henley, from Henley upon Thames and Watlington, for Repeal or Alteration of the Poor Removal Act.—By Sir R. Ferguson, from Guardians of the Poor of the Londonderry Union, against the Poor Removal (England and Scotland) Bill.—By Lord R. Grosvenor, from Protestant Dissenters, Enfield Highway, for the Suppression of Promiscuous Intercourse.—By Mr. Tower, from Guardians of the Poor of the Eton Union, for Alteration of the Law of Settlement.—By Mr. R. Yorke, from the York United Gas Light Company, against the Towns Improvement Clauses Bill.—By Mr. Aldam, from Leeds, and Lord R. Grosvenor, from Members of the Society for the Promotion of Permanent and Universal Peace, for referring National Disputes to Arbitration.

BRITISH AND COLONIAL SPIRITS—CUSTOMS.

Customs Acts read.

MR. MOFFATT rose to move, that the House resolve itself into Committee on the Customs Acts, for the purpose of assimilating the warehousing privileges on colonial and British spirits. He considered

that the British distillers ought to possess the same privileges which were extended to the producers of colonial spirits; that they should be only required, when spirits were taken out of bond, to pay duty on the quantity actually taken out. The West India Board, in their last report, had strongly recommended the adoption of such a regulation; and he thought the subject was one which deserved the serious consideration of that House and of the Government. The only objections he could anticipate to his proposition were, that it would afford facilities for fraud, and reduce the revenue. With reference to defrauding the revenue, he begged to remind the House, that while there were 178 distillers in Scotland, there had been only 67 informations lodged within the last few years; while in Ireland, where there were 97 distillers, no informations had been lodged. Let them contrast this state of things with England, where there were few distillers and many informations. This regulation only affected the manufacturers of spirits, and therefore he was entitled to either one protection or the other; and he believed that distillers generally, if they were left untrammelled, would rather distil from wet corn than from sugar. On the other hand, they would be glad if they had the opportunity to distil from barley; and, consequently, if that were allowed, there would be a much larger quantity exported. It was generally believed, that there were about 6,000,000 gallons of spirits consumed in the United Kingdom, and as the whole amount of the spirits distilled was 9,000,000 gallons, there were 3,000,000 to be accounted for; and it was known that upwards of 2,000,000 were taken by the English and Scotch distillers, in order to keep them out of the export market, so that, allowing only 3*d.* a gallon for the loss, the English people were taxed to the extent of 100,000*l.* per annum. He was, therefore, anxious, he must confess, to ascertain what reason the Chancellor of the Exchequer had to allege for any opposition to the measure. Whatever the articles were—rum, brandy, or gin—the same evil was liable to occur to the consumer of spirits; and he should therefore conclude by asking leave to bring in the Bill.

The CHANCELLOR OF THE EXCHEQUER observed, that the hon. Gentleman had not shown any ground on which the distillers could claim the advantage he wished to extend to them. He (the Chancellor of the Exchequer) would like to know whether, if the proposal of the hon. Member for Dartmouth were acceded to, the Irish and Scotch distillers would be prepared to give up the differential duty which was now maintained in their favour? He certainly should have thought that, in the present state of the revenue, hon. Gentlemen would have abstained from making propositions which it was admitted would materially affect the public income; and although the hon. Member for Dartmouth had stated that, if his proposal were adopted, the revenue would not eventually suffer, there could be no doubt that, in the first instance at least, it would lead to a considerable diminution of receipts. He (the Chancellor of the Exchequer) had been in communication with the Excise authorities on this subject, and they entertained no doubt that a large decrease of revenue would be the result of carrying out the proposition of the hon. Gentleman. He was, therefore, not prepared to assent to the proposal of the hon. Member for Dartmouth; and he did not think the distillers had shown any ground on which they could claim to be placed in a more favourable position than that in which they at present stood.

MR. HUME considered it was only right and just that all traders in spirits should be put upon the same footing. He could not understand why they should allow rum coming from Jamaica to be bonded, while rum distilled in Scotland or Ireland was not allowed to be bonded. He could not conceive why this anomalous regulation was permitted to exist, even although some advantage in differential duties had been given to the Scotch and Irish distilleries in consequence of their being deprived of the privilege of bonding. He believed, that if the spirits of Scotland and Ireland were allowed to be bonded in this country, instead of there being only five or six dealers in those spirits, there would be 200 or 300.

MR. BARKLY supported the Motion. He thought the experience of fifty years proved that the revenue would not lose from the extension of the system of warehousing in bond; and he believed, that a very considerable amount of capital would be let loose by the adoption of the proposal made by the hon. Member for Dartmouth. The whole distilling trade of England was at present engrossed by some seven or eight firms; and the effect of this monopoly was, that they were enabled to regulate the retail prices. The Scotch and Irish

distillers were practically excluded from coming into competition with the English dealers, for the former had to pay a duty of 200 or 300 per cent on importing their spirits into this country; and, if they were unable to effect sales within twenty-one days after importation, they were subjected to a further duty of 200 or 300 per cent.

Mr. MOFFATT observed, that the statement of the Chancellor of the Exchequer was not satisfactory to him; and he did not think it would be satisfactory to the country; and he therefore felt it his duty to press his Motion to a division.

The House divided:—Ayes 51; Noes 56: Majority 5.

List of the Ayes.

Baillie, Col.	Houldsworth, T.
Baillie, H. J.	Jolliffe, Sir W. G. H.
Baillie, W.	Jones, Capt.
Baine, W.	Lockhart, A. E.
Barkly, H.	Lockhart, W.
Bennet, P.	Mackenzie, W. F.
Bentinck, Lord G.	Macnamara, Major
Blackstone, W. S.	M'Carthy, A.
Bouverie, hon. E. P.	Manners, Lord J.
Browne, R. D.	Marton, G.
Buck, L. W.	Molesworth, Sir W.
Crawford, W. S.	Norreys, Sir D. J.
Dennistoun, J.	O'Connell, M. J.
Divett, E.	Palmer, R.
Drummond, H. H.	Pattison, J.
Duncan, G.	Rashleigh, W.
Duncombe, T.	Ross, D. R.
Ewart, W.	Sandon, Visct.
Feilden, Sir W.	Sheppard, T.
Forbes, W.	Trelawny, J. S.
Fuller, A. E.	Turner, E.
Gordon, A.	Wakley, T.
Hallyburton, Ld. J. F. G.	Watson, W. H.
Halsey, T. P.	Williams, W.
Hamilton, Lord C.	TELLERS.
Hodgson, R.	Hume, J.
Hope, Sir J.	Moffatt, M.

List of the Noes.

Baring, rt. hon. F. T.	Goring, C.
Barrington, Visct.	Graham, rt. hon. Sir J.
Bowles, Adm.	Grey, rt. hon, Sir G.
Bramston, T. W.	Hamilton, W. J.
Brotherton, J.	Hodgson, F.
Buller, E.	Hogg, Sir J. W.
Carew, W. H. P.	Hussey, T.
Cripps, W.	Inglis, Sir R. H.
Davies, D. A. S.	Jervis, Sir J.
Denison, W. J.	Lemon, Sir C.
Denison, J. E.	Loch, J.
Dodd, G.	Macaulay, rt. hon. T. B.
Duncombe, hon. A.	Mitcalfe, H.
Dundas, Sir D.	Monahan, J. H.
Escott, B.	Morris, D.
Forster, M.	Mundy, E. M.
Gardner, J. D.	O'Brien, A. S.
Gaskell, J. M.	Ogle, S. C. H.
Gladstone, Capt.	Pakington, Sir J.
Patten, J. W.	Strutt, rt. hon. E.
Powell, Col.	Tancred, H. W.
Richards, R.	Thornely, T.
Russell, Lord J.	Troubridge, Sir E. T.
Rutherfurd, A.	Vivian, hon. Capt.
Scrope, G. P.	Wood, rt. hon. Sir C.
Sheil, rt. hon. R. L.	Wrightson, W. B.
Smith, rt. hon. R. V.	
Somerset, Lord G.	TELLERS.
Sotheron, T. H. S.	Berkeley, hon. C.
Stansfield, W. R. C.	Parker, J.

EXCISE RECTIFICATION OF SPIRITS IN BOND.

Excise Acts read,

Mr. MOFFATT then moved, that the House resolve itself into Committee on the said Acts, for the purpose of considering the propriety of permitting British spirits to be rectified in bond for exportation, and to permit rectified spirits and compounds to be warehoused for exportation. He was ready to provide by Bill certain restrictions to prevent the commission of fraud.

The CHANCELLOR of the EXCHEQUER said, that the objection to the proposition of the hon. Member was, that in the opinion of those officers of Excise the most competent to form a judgment, its adoption would render it impossible to protect the revenue. As the law at present stood, all spirits going from the distillers to the rectifiers were charged the duty, and the revenue could not lose; but if the spirits were to go from the distillers to the rectifiers, and the duty was not to be charged except on that quantity which left the rectifier's premises, the Excise would have no check on the amount of spirits on which duty should be charged, as there was no mode by which the strength of rectified and compounded spirits could be properly tested.

Mr. HUME supported the Motion. He contended that rectified spirits might be tested by the Excise; and by opposing the Motion, the Chancellor of the Exchequer was actually stopping an important branch of trade in this country, and throwing it into the hands of the Dutch.

Mr. FORBES said, that if the proposition of the hon. Member did cause a little trouble to the Excise, he did not see why the House on that account should not do justice to a large class of Her Majesty's subjects. The hon. Member for Montrose said, that in consequence of the regulations of the Excise, this branch of trade was being driven into the hands of the Dutch. He understood that the advocates of free trade desired to place the British and foreign manufacturer on the same

ground; but he trusted that they would not go so far as to give a bonus to the foreigner. He thought that the House ought, at any rate, to allow the hon. Member an opportunity of presenting his Bill.

MR. BARKLY supported the Motion, and thought that the Chancellor of the Exchequer was not acting judiciously in setting up the Excise as a barrier against all improvement.

The House divided:—Ayes 56; Noes 63: Majority 7.

List of the AYES.

Adderley, C. B.	Hastie, A.
Baillie, W.	Henley, J. W.
Baine, W.	Hodgson, R.
Bankes, G.	Hope, Sir J.
Barkly, H.	Houldsworth, T.
Bentinck, Lord G.	Humphery, Ald.
Blackstone, W. S.	Ingestre, Visct.
Bouverie, hon. E. P.	Jolliffe, Sir W. G. H.
Browne, R. D.	Jones, Capt.
Bruce, C. L. C.	Lockhart, A. E.
Buck, L. W.	Lockhart, W.
Burroughes, H. N.	M'Carthy, A.
Carnegie, hon. Capt.	M'Taggart, Sir J.
Collett, J.	Manners, Lord J.
Crawford, W. S.	Marton, G.
Dennistoun, J.	Molesworth, Sir W.
Disraeli, B.	Neeld, J.
Divett, E.	Newport, Visct.
Drummond, H. H.	O'Brien, A. S.
Duncan, G.	O'Connell, M. J.
Duncombe, T.	Sheppard, T.
Farnham, E. B.	Spooner, R.
Feilden, Sir W.	Trelawny, J. S.
Ferguson, Sir R. A.	Wakley, T.
Forbes, W.	Walsh, Sir J. B.
Fuller, A. E.	Yorke, hon. E. T.
Gisborne, T.	
Gordon, Adm.	TELLERS.
Hallyburton, L. J. F. G.	Moffatt, G.
Hamilton, Lord C.	Hume, J.

List of the NOES.

Baillie, Col.	Grey, right hon Sir G.
Baring, right hon. F. T.	Grosvenor, Lord R.
Barrington, Visct.	Hawes, B.
Bellew, R. M.	Hodgson, F.
Berkeley, hon. C.	Hogg, Sir J. W.
Borthwick, P.	Hussey, T.
Bowles, Adm.	Inglis, Sir R. H.
Bramston, T. W.	Jervis, Sir J.
Brotherton, J.	Lemon, Sir C.
Carew, W. H. P.	Lygon, hon. Gen.
Denison, W. J.	Macaulay, rt. hon. T. B.
Denison, J. E.	Mangles, R. D.
Dodd, G.	Marjoribanks, S.
Duncombe, hon. A.	Marshall, W.
Dundas, Sir D.	Mitcalfe, H.
Escott, B.	Monahan, J. H.
Forster, M.	Morris, D.
Gardner, J. D.	Ogle, S. C. H.
Gaskell, J. M.	Pakington, Sir J.
Gladstone, Capt.	Polhill, F.
Gore, hon. R.	Rich, H.
Graham, right hon. Sir J.	Richards, R.
Romilly, J.	Stanton, W. H.
Russell, Lord J.	Strutt, right hon. E.
Rutherfurd, A.	Tancred, H. W.
Scrope, G. P.	Thornely, T.
Sheil, right hon. R. L.	Troubridge, Sir E. T.
Shelburne, Earl of	Ward, H. G.
Sheridan, R. B.	Wood, right hon. Sir C.
Smith, A.	Wrightson, W. B.
Smith, right hon. R V.	TELLERS.
Somers, J. P.	Tufnell, T.
Stansfield, W. R. C.	Parker, J.

MR. JOHN DILLON'S CLAIM.

MR. SHARMAN CRAWFORD, in moving for copies of papers respecting Mr. John Dillon's claim for prize money out of the proceeds of the smuggler brig *Peru*, reminded the House that Mr. Dillon, in the execution of his duty as officer of the coast-guard service in Ireland, attacked this brig, which was endeavouring to land her cargo, and forced her out to sea; she was afterwards obliged to put into Kinsale harbour, but, as he alleged, in consequence of his attack, and there she was seized, and condemned and sold. He was at first told, that the reason why he was denied any share in the proceeds was, that there was a charge of cowardice against him; but Lord Althorp referred that question to Sir E. Codrington, who entirely acquitted Mr. Dillon of the charge. It was then stated, that he did not make his claim in time; but the fact was, that he had gone abroad on service before the brig was finally condemned. The hon. Member added, that his object was, not to press the claim hostilely, but to induce the Treasury to reconsider it. He moved for copies of statements of George F. Young, George Pryme, and Feargus O'Connor, Esqs., etc.

MR. J. PARKER could not undertake to furnish copies of all these papers, because some of them were not to be found in the shape asked for, and some were mixed up with other transactions. Some of the originals had been returned to Mr. Dillon, and it would hardly be regular to produce a copy of a copy. No communication from Sir E. Codrington was to be found, though it was clear from a memorandum of Lord Althorp's, that the charge of want of professional vigour was referred to Sir E. Codrington, and that he acquitted Mr. Dillon. But the real question was, whether his conduct had sufficient to do with the capture to entitle him to a share of the prize; that had been very fully considered by the proper authorities, and the decision was against him. Any hon. Member might look into the papers at the Treasury; and there would be no objection to produce

copies of all really official documents remaining in the office. He (Mr. Parker) believed that there had been a proper disposition to do justice to Mr. Dillon.

Mr. WAKLEY said, Mr. Dillon wanted money, not papers. But the fact was, that a private individual had no chance of success against officials, for successive Governments always made it a Cabinet question, and were determined to defeat the claim. Men in office always "followed the bell-wether." Why had the charge of cowardice been brought forward, if it were not intended to rely upon it? Would the Government consent to refer the case to a Select Committee? If not, they could not be confident in the justice of their opposition to the claim.

The CHANCELLOR OF THE EXCHEQUER observed, that the present Motion was for the production of papers. The Treasury had no objection to produce such as they had; but the House ought to see those papers before the subject was brought on for discussion in any other shape.

Mr. F. T. BARING had looked into the case with the greatest anxiety to do Mr. Dillon justice; and the Government had not been at all biased against him by the adverse decision previously given.

Motion withdrawn.

VICE-ADMIRALTY COURTS AT THE CAPE OF GOOD HOPE AND ST. HELENA.

Captain PECHELL moved for "returns of all fees payable in the several Vice-Admiralty Courts at the Cape of Good Hope and St. Helena," &c. He hoped the Government would agree with him that the scandalous abuses in those courts should be put down. By a return already before the House, out of 113 vessels there were 74 from which the captors did not get a sixpence, the whole value being swallowed up in the expenses of these Vice-Admiralty Courts. In the case of the *Diana*, the expenses were no less than 273*l*. It too frequently happened that the officers of the Admiralty Courts made a complete harvest out of every slave vessel that was captured, by a system of fees and extortions directed against the captors. As the Attorney General at the Cape of Good Hope had said, there was a general scramble to see what could be got out of the proceeds.

Mr. HUME seconded the Motion, and recommended his hon. and gallant Friend to add the Australian colonies, because he had a few days ago received accounts that matters were as bad there as at the places to which his Motion applied. These courts were allowed to do as they pleased, and were under no control. If ever any system called for inquiry this did.

Mr. WARD would have no sort of objection to giving all the papers which his hon. and gallant Friend asked for, and also those which the hon. Member for Montrose wished to append to his Motion. He had seen cases which showed that they were as capable of making out a long bill against the captors at St. Helena as they were anywhere else. If any better system of organizing those courts could be devised, his hon. and gallant Friend would have rendered a great service.

Motion agreed to.

POOR LAW ADMINISTRATION BILL.

Order of the Day for the Adjourned Debate on the Second Reading of the Poor Law Administration Bill.

Mr. ESCOTT wished to take that opportunity of putting a question to the right hon. Gentleman the Secretary of State for the Home Department. It was a question relating to a matter of great importance, on which he had already asked for information from the right hon. Gentleman. He wished now to know whether, since he had put his former question, the right hon. Gentleman had received any information which he could lay before the House with respect to the labouring population of the west of England, and particularly as regarded the county of Somerset; and whether, with reference to the destitute state of a large portion of the population of that county, any steps had been taken by the Poor Law Commissioners; or whether any general steps had been taken throughout the country by the poor-law guardians with or without the sanction of the Poor Law Commissioners? From all the experience he had had in the west of England, and from all the examinations he had been able to make into the state of the poor in the neighbourhood to which he referred, he had found that any extraordinary degree of distress was usually caused by either boards of guardians or the Poor Law Commissioners neglecting to enforce the powers which they possessed under the present law for relieving the poor. He did not mean to say that at the present moment there was not a much more extraordinary pressure than ever before existed;

but he did mean to say, that if the Poor Law Commissioners had not acted, or if the boards of guardians had not acted, upon the discretionary power which he believed was vested in them for relieving that distress, it was his humble but decided opinion that the time had come when it would be the duty either of that House or of the Government to insist upon steps being taken to relieve those large masses of the people, who, under present circumstances, were unable to support themselves, and whose destitute state endangered the property of a great part of the country.

SIR G. GREY replied, that he had not received any official account of the condition of the labouring classes of the west of England. There had been, as he had stated the other night, owing to the high price of provisions, a disposition evinced to create disturbance, and there had been some illegal proceedings, especially on market days, in two of the western counties. These proceedings, however, had been promptly checked by the judicious measures taken on the part of the local magistrates. No personal violence had yet been resorted to; and he hoped the measures to which he had alluded would be effective in preventing any recurrence of such proceedings. With respect to the Poor Law Commissioners, he understood that they had lately received applications respecting the condition of the people owing to the high price of provisions; and he had no doubt they would adopt such measures as they should deem necessary for the purpose of meeting the emergency which at present existed. He must say, however, that it would be very unfair that the whole responsibility of meeting an emergency like the present, arising from the high price of corn, should be thrown upon the Poor Law Commissioners. It lay with the employers of labour—those who were receiving high prices for their corn—rather than with the Poor Law Commissioners—or, in other words, the ratepayers—to provide a remedy for the evils which at present existed. He had no reason to suppose that there was any indisposition on the part of the class to which he had referred to meet the emergency. No statement had been made to him to that effect; on the contrary, he had lately seen a Gentleman connected with Somersetshire who expressed an anxious desire to lend his influence in order to meet the evils in question.

Order of the Day read.

POOR-LAW ADMINISTRATION BILL—ADJOURNED DEBATE (THIRD NIGHT).

MR. HENLEY, in resuming the debate, said he should abstain from going back into the questions which had occupied so large a portion of the discussion on the previous nights, namely, those referring to the Andover Union, and to the general character of the Poor Law of 1834, not from any idea than these were not very important in themselves, or did not form the subject of debate on the present occasion; because, if he understood rightly, the object of the periodical appointment of the Commissioners was, that Parliament should have an opportunity of revising the whole Poor Law from time to time, and of making such Amendments as experience might suggest; but he preferred addressing himself to a different branch of the subject. In what condition was the House now placed? The noble Lord at the head of Her Majesty's Government had declared that, in his opinion, the present executive portion of the law did not work satisfactorily. The noble Lord had added, that it was not owing to the report of the Andover Committee that he had been brought to this conclusion; and that he did not think the Commissioners were obnoxious to the blame which had been cast upon them; or, at least, not to the degree in which it had been cast upon them. The noble Lord, in short, did not think the men in fault so much as the system. This brought them, then, to the Bill before the House, and to the consideration of the question as to how the noble Lord proposed to amend that system; whether that Amendment would touch the real grievances of the system; whether, in point of fact, the Bill would do any good at all; or whether, as he thought, instead of offering any improvement, or being any advantage to the country, it would not rather aggravate all the existing evils. As he had already said, he should not, on this occasion, go into the general question of the Act of 1834. On every account he thought it better to avoid it, for in the first place it had existed and been in operation between thirteen and fourteen years; and the effect of any immediate alteration of the law would be to subject both Parliament and the country to another violent change in the mode of administering relief. That would be a great evil. In the next place, he believed that a great majority of the people were disposed to adhere to the principle of the law—which he took to be local administration with a cen-

tral control. All that Parliament had got to do just now, in his opinion, was to see whether the executive department now proposed by Government was likely to carry that object most beneficially into effect, and whether those portions of the law which had created the greatest dissatisfaction in the country were likely to be improved by the present Bill. Now, those portions of the law which had created the greatest dissatisfaction had nothing to do with the general principle of the law, but were comprised in the mode of relieving the casual poor or those who become suddenly destitute, in the manner in which medical relief was afforded, and in the regulations which the Commissioners made with respect to the affairs within the walls of the house. He should, in the first place, call the attention of the House to the power which the Commissioners at present enjoyed of "subordinate legislation," as they themselves called it. He thought it a perfectly legitimate question to ascertain how the Commissioners had exercised that power; whether their laws and regulations were such as Parliament would have made; and whether it was true, as was asserted in 1834, that, owing to the various circumstances of the country, it was difficult, if not impossible, for Parliament to make a general law for the whole country, but that they must leave a vast discretionary power in the hands of the Commissioners, otherwise the law would never work. He would endeavour to show the House the kind of laws and regulations which the Commissioners had made with respect to the casual poor, and to the administration of medical relief, and to the proceedings within the workhouse, and contrast them with what Parliament had done for prisons. He must say that in his opinion the Commissioners had not exercised this power wisely and discreetly, and that it ought never to have been intrusted to them. He thought he should be enabled to show this, both from the general nature of the rules which they had made, and the extraordinary small number of cases in which they had exercised it. They had only applied two tests in the course of the whole thirteen years, namely, the workhouse test and the outdoor labour test, and he thought this was very slender ground upon which to ask Parliament to put into their hands so important a power as that of making laws. In order that he might not misrepresent them, he would take the liberty of reading to the House the Commissioners' own definition of their power—subordinate legislation, and contrast it with the manner in which they had carried it out. The extract which he was about to read was taken from their report for 1839, in which they went at great length into the question of subordinate legislation which had been delegated to them. They said—

> "Whatever rules Parliament has laid down for the relief of the poor, the Poor Law Commissioners must enforce without modification; they can only give to these rules greater precision by developing their provisions, and making subsidiary regulations for carrying them into effect."

He should now proceed to show how in the several particulars he had named the Commissioners had departed from the principle here laid down. He would first take the case of the casual poor, or those persons who from any circumstance were suddenly placed in want of relief. Now, the first public attention which was called to this class of persons after the passing of the Act of 1834 was by the metropolitan police in 1837, complaining of the vast amount of destitution which was visible in the public streets. The Act of Parliament expressly required that the Poor Law Commissioners should make general rules, and submit them to the Secretary of State for his approbation; but they made no rules at all till the year 1841. They evaded the law by sending rules to every separate union. It would be in the recollection of the House that the Legislature, in 1834, not feeling it quite safe to hand the poor to the tender mercies of any set of men, distinctly provided that cases of urgent necessity should be relieved by the overseer, or any other of the poor-law authorities who should come into contact with them. This was evidently meant as a safeguard; and if it had been fairly and honestly acted upon, it would have prevented much of the mischief which had occurred since. What did the Commissioners do? They ordered the relieving officers to give relief "in cases of sudden and urgent necessity;" and the order which they gave to the workhouse masters was to admit people "in cases of sudden or urgent necessity;" orders which, though nearly the same in words, were still considerably different in effect. The general practice was for the porters to lock the gates of the workhouse at nine o'clock, and carry the keys to their masters; no ingress or egress being allowed, on any pretence whatever, till morning. All over the country, the people naturally asked what was meant by "sudden

and urgent distress," and what was the difference between "sudden and urgent" and "sudden or urgent" distress? The consequence was, that people were not relieved. A correspondence with the Commissioners ensued; and, in 1838, the pressure of public opinion produced a little more liberal treatment to that class of poor. In the year 1841–42, when the present Member for Dorchester (Sir J. Graham) became Secretary of State for the Home Department, he would not stand any of the Commissioners' slippery work, and he compelled them to make general rules; with each of the general rules there was an explanatory letter; and what did the House suppose was the definition of "sudden and urgent" necessity, which the Poor Law Commissioners gave in their letter, upon which the casual poor were to be relieved? It was this:—

"By 'sudden and urgent necessity' the Commissioners understand any case of destitution requiring instant relief before the person can be received into the workhouse; as, for instance, when a person is deprived of his usual means of support by fire, storm, or inundation, or robbery, or riot, or any other similar cause which he could not control when it had occurred, and which it would be difficult or impossible to foresee or prevent."

He asked any man to say if there was any room for wonder, after this, that persons under the control of these Commissioners, and subject to their dismissal, should have frequently neglected the poor? How could it be otherwise, not merely with such a definition staring them in the face, but with the fear of the auditors before them, who had the power to strike out of their account any money paid contrary to the law or contrary to the order of the Commissioners? He asked whether it was not extremely likely that under such a state of things, and with the cases of cruelty that arose in consequence, a public clamour would be excited against the law? Well, another definition was issued in 1845, after public opinion and clamour had been generally excited on the subject, and he would read to the House the result which the Poor Law Commissioners arrived at, after an interval of eleven years from the passing of the Act, and let them judge whether such a body ought to be intrusted with such a power. In 1845 the Commissioners rescinded the definition of 1841-42, and gave the following:—"By explanatory letter, 'sudden and urgent necessity,' the Commissioners understand any case of destitution requiring instant relief." The Commissioners thus came back to the plain and simple intention which Parliament evidently entertained at starting in 1834; and had they done so sooner, it would have prevented much destitution and suffering, and consequent dissatisfaction with the law, which had arisen in the interval. With the permission of the House he would now go into the question of medical relief. He quite admitted that everything he had said about sudden and urgent necessity had nothing at all to do with the general principle of the law; but it certainly had a good deal to do with the question as to whether they would continue to intrust any set of men with the power of making such rules. Could any one believe that, if a Member of that House had laid upon the Table such a definition of sudden and urgent necessity as the Commissioners gave in the first instance, it would not have been kicked into the lobby? See what the conduct of the Commissioners was with respect to medical relief. If there was one subject which, more than another, had been the source of almost universal dissatisfaction, it was the management of medical relief. What did the Commissioners themselves say upon this subject at the commencement of their first report—for he would deal only with their own written statement of their views and conduct, and then there could be no misrepresentation. They should be judged by their own words. It would be in the recollection of the House that when the Poor Law Amendment Act first came into operation, what was called the "tender system" was insisted upon by the Commissioners. With respect to this point, the Commissioners stated in their first report:—

"We found it a practice for a medical man, in the great majority of instances, to contract with the parish for the supply to the settled paupers of medical attendance for a small fixed sum, on the expressed or implied condition that he should be allowed to make whatever charges he pleased for non-parishioners under suspended orders, or an under of medical relief by overseer."

The House would observe that the allegation of the Commissioners was, that parishes were wont to pay medical men a small fixed sum, leaving them to make up an adequate amount of remuneration from other sources. That was their recorded opinion. Then let the House observe the rule which they established on the subject:—

"We deemed it the most advantageous that each practitioner should fix the price of his own services, under competition. We found it neces-

sary to adopt as a rule that the aggregate charges for medical relief shall not exceed the aggregate of the former expenditure."

According to their own showing, they found this state of things—that medical practitioners were paid an inadequate fixed sum directly, hoping to make up an adequate remuneration by indirect payments from non-parishioners. Well, the Commissioners establish the tender system, which deprived medical men of the chance of obtaining indirect payments, because the rule of the Commissioners prescribed that they should attend the non-parishioners as well as those belonging to the parish; and yet they declared that their remuneration should not exceed the amount of the small fixed payment which they were in the habit of receiving under the former system. The natural result of such an arrangement followed—an universal clamour arose from one end of the country to another. The remuneration for medical relief was cut down to such an extent that if it had not been for the humanity of medical men—to their honour be it said, and he stated what he knew to be true—the poor would have wanted medical assistance altogether. The medical gentlemen, from one end of the kingdom to another, nobly stepped forward and said—"The poor shall not suffer; we will do our duty by them as we did before; we are not sufficiently paid, but we will do justice to the poor, and leave it to public opinion to set the matter right." The amount formerly paid for medical relief in the district of the union with which he was connected, was 450*l.* The board of guardians reduced that sum to 300*l.*, but the Commissioners disallowed that amount, and said that it was a wasteful expenditure of money. In the parish in which he (Mr. Henley) resided, the doctor used to be paid 10*l.* a year; an order was issued to cut his salary down to 2*l.* 17*s.* 6*d.* The sum ultimately fixed for the payment of medical relief throughout the union was, he believed, about 290*l.* The Commissioners struck their claws in, and tore away some small sum of 10*l.* or so. What he had described came under his own observation in one union. But it was found impossible to adhere to such a system. Public opinion compelled the Commissioners to retrace their steps, and the sum paid for medical relief throughout the country, which at first had been cut down to 130,000*l.* or 140,000*l.*, amounted to 186,000*l.* in 1845. What did that prove? Why, that previously the poor must have suffered frightfully from the restricted expenditure, or that gross injustice must have been done to the medical men, who were compelled by a sense of humanity to relieve the poor without being compensated for their exertions. As a further illustration of the subject of medical relief, he would call the attention of the House to the question of workhouses. With reference to this part of the subject, it was his intention to contrast the rules applied to workhouses and gaols. It was with extreme astonishment he heard the other night one so conversant with these matters as the right hon. Secretary for the Home Department venture to state, in reply to the hon. Member for Dorsetshire, that magistrates had the same power of making rules for prisons as the Poor Law Commissioners had of making rules for workhouses. The right hon. Baronet knew well enough that the power possessed by magistrates and Poor Law Commissioners was as much alike as a horse chesnut and a chesnut horse. The right hon. Baronet knew that in every essential particular Parliament had laid down what rules should be observed in prisons. In all great and essential particulars as regarded gaols, the Act of Parliament fixed the minimum below which the magistrates could not go; and the minimum which Parliament had established for criminals, far, very far, exceeded what the Commissioners had allowed the unoffending poor. He would prove his case, chapter and verse—for such an assertion as that made by the right hon. the Secretary for the Home Department ought not to have been advanced in that House—at all events, it should not pass without being exposed. It appeared to him that the circumstance of the Legislature having so strictly controlled the magistrates in the treatment of prisoners in gaols, furnished a powerful argument against intrusting the Poor Law Commissioners with almost unlimited power over the treatment of paupers, which experience had proved could not be exercised for the public advantage. He would now contrast the regulations observed with respect to chaplains and surgeons in gaols and workhouses. It would not, of course, be pretended that it was any part of the principle of the New Poor Act that the inmates of workhouses should not receive adequate religious instruction and medical relief. He saw that the right hon. Secretary for the Home Department was anxious to go away, and therefore he would proceed at once to state what the Act of Parliament

prescribed with respect to chaplains of gaols, merely premising that it left a discretionary power to magistrates to make the criminal's condition better, but not to render it worse. He was about to quote from the 4th of George IV., cap. 64, which was still the law of the land, although successive Secretaries for the Home Department had, on their own responsibility, gone beyond it in bettering the condition of prisoners. The Act of George IV. required that prayers selected from the liturgy of the Church should be read to prisoners at least every morning by the chaplain or keeper of the gaol, and that portions of the Scriptures should be read to the prisoners daily when assembled for religious instruction. Then it was provided that the chaplain should go through the morning and evening services of the Church every Sunday, Christmas-day, and Good Friday; that he should catechise and instruct the prisoners—

SIR G. GREY felt it necessary to remark that the hon. Member appeared to have misunderstood what fell from him on a former occasion. The hon. Member for Knaresborough had argued that it was constitutionally impossible for Parliament to delegate to the Poor Law Commissioners the power which they possessed; in reply to which he (Sir G. Grey) instanced the Prisons Act, which gave to the Lord Mayor and aldermen of London, and to the magistrates of the country generally, the power of altering the prisons regulations, and to the Secretary for the Home Department the power of making further alterations, if he should think fit to do so. He did not mean to say that the cases were identical, or that the power exercised by magistrates was equal to that possessed by the Poor Law Commissioners.

MR. HENLEY had not the advantage of hearing the speech of the hon. Member for Knaresborough, but he did hear that of the hon. Member for Dorsetshire, and he understood the right hon. Baronet to refer to the case of the magistrates in answering the latter speech. The right hon. Baronet at the time made no distinction as to degree. The right hon. Baronet knew perfectly well that magistrates could do comparatively nothing with respect to prisoners, whilst the poor in workhouses were left entirely at the mercy of the Commissioners. To proceed with the reference to the enactments of the Prisons Act, it was provided that the chaplain should frequently visit every room and cell occupied by prisoners, and distribute amongst them books fitted to convey moral and religious instruction. Provision was also made for the religious instruction of prisoners who dissented from the Church. He would now show what provision was made for affording religious consolation to the poor, by reading some extracts from the orders of the Poor Law Commissioners. It was unnecessary to tell the House, that anything which the Poor Law Commissioners prescribed would be looked upon as the maximum point by boards of guardians. It was impossible to persuade them to go beyond what the Commissioners required; and, practically, all the poor got was the minimum of what was fixed. The rules of the Commissioners provided that there should be church service in the workhouse once (in the prisons it was twice) on Sundays, Christmas-day, and Good Friday. The chaplain was to examine the children in the catechism of the Church of England once every month; and he was required to make a report of the moral and religious condition of the inmates generally. He was also to administer religious consolation within the workhouse whenever called upon by the master. The House would observe that the chaplain was to furnish religious consolation only when he was applied to for that purpose by the master of the workhouse. The consequence was, that, practically, no provision was made for the spiritual instruction of the inmates of workhouses generally. The chaplain was not required to visit the inmates of the workhouse; and how, under such circumstances, he could make a general report, it was difficult to imagine. The chaplain's stipend was so miserable a one, that it would be extremely charitable to suppose that he would do more than he was actually required. To show how the system worked, he would take the case of a pauper, not of the most meritorious class, and of a criminal. They should be two girls, both with child, in the same parish, a thing which not unfrequently happened. Both were destitute and unable to maintain their offspring. One went into the workhouse, and was there delivered. The other was delivered out of doors, and murdered her child, or made away with it—a case of not unfrequent occurrence, he was sorry to say. This girl was tried before a jury, and, there being extenuating circumstances in her case, the jury took a merciful view of it, and found her guilty of concealing the birth, and she was sentenced

to eighteen months' imprisonment. Now, he ventured to say, that if ever there existed an opportunity of bringing an erring woman back to honourable feeling, it was after she had endured the pain and misery which always accompanied such scenes as those to which he had referred. What provision was made for touching the heart of the woman in the workhouse by means of religious instruction? She was placed amongst the most demoralised class, and compelled to associate with women who had been guilty of the same offences as that which had brought her there. No provision was made for her receiving spiritual instruction and advice. She was not allowed to go outside the workhouse, not even to attend public worship in the church. She was even prohibited from going to church to have her child baptized, or, if a returning sense of duty should prompt her thereto, to take the sacrament. The girl who had made away with her child would be treated very differently. The chaplain would visit her daily in prison to administer religious instruction — he would supply her with books, and the sacrament would be administered to her, if her mind were brought into a fit state to receive it. When these two girls came afterwards to meet in their village, what would be the result of their communication? Necessarily this, that, according to the operation of the law, the greater the degree of criminality the lighter would be the penalty. Now, as regarded the case of surgeons. The Prisons Act required that the surgeon of a gaol should visit every prisoner at least twice a week; and he believed that by a subsequent Act he was obliged to make daily visits. In the case of the workhouse, the surgeon was required merely to attend at the workhouse at such times as the guardians should appoint. There was a double delegation of authority —Parliament delegated power to the Commissioners, and they delegated it to the guardians. The surgeon was also required to attend when sent for by the master in case of sudden illness; but—and it was a most important omission—no provision was made, as in gaols, for the constant watchfulness of a medical man over those who were not absolutely sick. Why was that? Because the Commissioners knew that if there were efficient medical attendance there must be more expense, and that they were anxious to avoid; for the system was bolstered up by the pretence of saving money. Take the kingdom through; 1*l.* out of every 5*l.* was expended on establishment charges. That was a heavy drawback, and it was the reason why the Commissioners made such scanty allowances to professional men. Could it be believed that if the law had been the same with respect to workhouses as it was with respect to prisons, public feeling would have been shocked by the sad case of the Bridgewater Union, or the still sadder case of the Sevenoaks Union, where sixty or seventy children were proved to have been in a state of glandular disease from the same cause, which had been a considerable time in operation unchecked? Here, again, contrasting Parliament law with Commissioner law, he could not hesitate to acknowledge the superiority of the former. What, then, was the reason for taking the power of making regulations for the poor out of the hands of Parliament? It was said that there were varying circumstances in different parts of the country which rendered it necessary to do so. He believed the late Secretary of State compelled the Commissioners to make some general rules, which were issued to nearly 600 unions. The orders for out-door relief were issued to 458 unions; the workhouse orders to 445; the medical orders to 587; the officers' orders to 572; the overseers' orders to 576. It was clear that these orders were to be universally applicable; the other places to which they were not sent were under separate management or local acts. But had any scheme been tried except the workhouse test, and giving out-door relief? [An hon. MEMBER moved that the House be counted; but more than forty Members being present, Mr. Henley continued.] He had endeavoured to show that the medical relief within the workhouse under these rules made by the Commissioners, had not conduced to the satisfactory working of the law, and would not bear comparison with what Parliament had done in this particular. He would take the opportunity of saying that much of the misery the poor had suffered, had been relieved by the humanity of the medical men themselves; much of the inconvenience that would have been felt in the workhouses from the neglect of the necessary requirements of the law, had been prevented by the zeal of the respective surgeons. He had shown, or endeavoured to show, that there were no such varying circumstances in the country as to require the power to be taken from the Legislature. While he wished the law to be carried out for the general benefit,

both of the country and the poor, he was most anxious it should be relieved of what was the heaviest millstone round its neck. He was most anxious that everything good in the experience of the last thirteen or fourteen years should be taken hold of by the Legislature, embodied in an Act of Parliament, and the authority of law given to it. The people of England were an obedient and loyal people; if they knew the matter had received the consideration of the Legislature they would yield it a ready, cheerful, and patient obedience. But he knew a feeling prevailed among the poor, who, they would recollect, were not directly represented in that House, that the rich, who had had the legislation in their hands, not having the moral courage to enact such regulations in the face of the country, had delegated the framing them to others; they were equally inflicted on the poor, without Parliament having any discretion over them. That, he knew, was a very prevalent feeling among the poor; from many communications he had had on the subject, he believed that to be a settled opinion. He was anxious that no revision of the law should increase the difficulty of people seeking redress against it; and he could not but feel that the Bill did not take from the new Commission any power which had been injuriously exercised against the people under the law; and he found that the noble Lord did intend to relieve them from the necessity of complying with some of those formalities by the neglect of which the late Commission subjected itself to much and deserved blame. He found it was intended to include among the Commissioners three or four Cabinet Ministers. What would be the result? In any question brought before the House, in any case of grievance—and let them not imagine that, under any system, grievances would not arise—what chance of redress would the persons have against four Cabinet Ministers? By their every act the Government must stand or fall; it could not blame the Commissioners, the Act would be their own; four Ministers—a third part of the Cabinet—would have had a share in it—every question would be fought, tooth and nail, as a Government question. With the business now attached to every Cabinet office, it was impossible those Gentlemen could give their attention to the working of the Commisssion: what would be the result? One or two men would manage the whole business of the Commission; the Ministers would have nothing to do with it, yet they would be obliged to take all the responsibility. Then let them look at the vast political engine this might be made; there were some thousands of persons employed over the country under the Commissioners, every one of whom was liable to summary dismissal by the Central Board. In an election on any great political question, did they think that men liable to be so dismissed would not attend readily to the suggestions of those above them? What did they do in other cases? Did they allow excisemen to vote? If they were shut out, why should they give the right to those employed under the Commission? Suppose a case like that of the Worcester Union should arise, the board of guardians quarrelling with the Central Board about the dismissal of an officer. Suppose the place sent a Member to Parliament, and it was the interest of the existing Government to secure that seat; the board of guardians would probably be a very influential body. Was it likely, in such a case, the central authority would do its duty very strictly against that board? If they supposed it would, they had a very different opinion as to what men were from his. He did not care about one or two more men being in the Commission, and having a seat in that House. He thought they had Government men enough there. The bulk of the duties of the Board was mere matter of details—petty squabbles about the election of guardians, the appointment of officers, the dismissal of officers. Were these fit to be made Cabinet questions? They were not. He could not agree to such a proposition. He could not see in it any security for the prevention of abuses. All he could see was, a vastly increased power thrown into the hands of the Minister of the day. He had gone at greater length than he liked to do into these various matters. All he implored the House to do was, not to continue a system that left the poor of the country in their present state. He implored the House to take from the agitator and the demagogue that powerful weapon he did not scruple to wield, and which he was enabled to wield with truth, when he told the discontented they legislated for the poor in a mode in which they would not legislate for themselves; let them remember how hard and bitter the bread of legal relief was, to all who eat it—how liable it was to engender discontent under any system; let them recollect how readily

the people of this country sympathized with those who were distressed; and also —and let them be thankful for it—how readily the Christian feelings of the people, while they so sympathized, led them to shut their eyes to the faults by which men might have reduced themselves to destitution. He implored the House not to shut the people from their inalienable birthright. By their legislation they now taught the poor to regard the Crown, or the Ministers of the Crown, as the direct means of the hardships inflicted upon them; instead of teaching the people to look up to the Crown, and the Ministers representing it, as the parties to whom they could safely look for redress from the local authorities, this law was contrived, and seemed even to be executed, by the Government itself; its own hand appeared to inflict their evils. Was that safe? was that wise? was that politic? He intreated them not to direct the whole stream of suffering from poverty against the Government of the day; they knew not what times they might have to encounter. Let Parliament by law give Ministers of the Crown—the brightest jewel in which was the prerogative of mercy—the power of relaxing the provisions of the Act when necessary. Let them preserve the workhouse test, if they thought it the best, or the out-door labour test, or any other, if they kept the power of relaxing it; they would then lead the poor to look on the Crown as their protector, their refuge, and resource, against any act of misgovernment that might occur. He did not wish to unsettle the present mode of relief; but he did wish the grave blots on it to be taken out. He believed they might preserve all that was valuable in the Bill, and make it a blessing to the poor and to the ratepayers; but if they gave the power which this Bill proposed to the Government, the poor would regard it as a hardship, and some day an end might be put to it in a mode they should all be sorry to see.

Mr. POULETT SCROPE thought the debate had included three or four different subjects not immediately connected with the question itself. First, there was the Bill before the House; next, there was the question raised by the hon. Member for Knaresborough (Mr. Ferrand); the merits of the Act of 1834; and, lastly, the personal conduct of the Poor Law Commissioners themselves. He should not go into the points raised as to the conduct of the Commissioners during thirteen years of office; nor should he touch the case of the Andover Union. He was inclined to agree with the hon. Member (Mr. Henley) on many points. He regretted the Commissioners should have delayed their explanation of what they understood as emergency relief so long; it was discreditable in them to delay it till 1845. He thought the tender system of medical relief a bad one; but it would be bettered by the regulation for paying half the expense out of the Consolidated Fund. The discussion of some other points, such as the insufficient pay of chaplains to workhouses, and the contrast between the religious instruction provided in workhouses and gaols, might have been deferred to another occasion. The great question really was, should the Commission be continued or not? He did not agree in all the violent denunciations of the Poor Law and the Commissioners uttered by the hon. Member for Knaresborough (Mr. Ferrand); but he was not at all surprised at the violence of the feeling out of doors, when he recollected the circumstances under which the measure was proposed. It was framed partly by men avowedly opposed to any Poor Law at all; and it was recommended to the House of Peers by a noble and learned Lord, then Lord Chancellor (Lord Brougham), in a speech occupying four hours in the delivery, which was one long tirade against the principle of a Poor Law itself. He was not surprised at the hostility with which the measure had been regarded, or that the placing the law in the hands of a Commission should excite alarm among the poor themselves, and those who looked on a Poor Law as the great charter of the safety of the poor, and the guarantee of the peace and security of the realm. He could trace to this, as one of the primary sources, the unpopularity of the law. The hostility with which it had been met, would have been mitigated, if it would not have been entirely avoided, had there been a distinct and unequivocal recognition by Parliament of the main principle of the measure, which had been referred to by the noble and learned Lord. What was the main principle of the law? That question would be answered by different men in very different ways; but he was inclined to agree with the hon. Member for Oxfordshire, that the true principle was the establishment of a central control for the supervision of local administration. To that principle he had given his consent at the passing of the Amendment Act; to

that principle he still adhered; and he did not quite understand what the hon. Member opposite (Mr. Henley) would substitute for a central control. It was undeniable that many of the rules and regulations of the Commissioners were open to improvement; and it was equally unquestionable that the conduct of the Commissioners had not been exactly what it ought to have been, or, rather, what the House might have wished; but then, a change was now proposed in the construction of the Board; and he did sincerely hope that this alteration would have the effect of removing those objections which were now so generally made. The alteration was desirable; but it would be a very different thing to abolish the Commission altogether; and, supposing that that were done, he did not see where they would find the safeguard from those local abuses which the Board was instituted to correct. The hon. Member seemed to suppose that these local abuses were always in favour of the poor, and that the only purpose of a central control was to check lavish expenditure. Now, he believed, on the contrary, that the central control was chiefly required to put down abuses from which the poor suffered. There was no abuse of a local character from which the poorer classes had suffered so much as from the allowance system; that had been done away with by the Commissioners: had the local administration been irresponsible, that system would have continued to this day. Many such evils had grown up and gained strength under the old law; and were the central control to be removed they would again be rife. And it was because the object of the central control was to crush local abuses, that the Commissioners had become unpopular, and had encountered resistance and hostility. They had to deal with local jobbing and parish favouritism, and the result was that general odium had been attached to their offices, and that general ill-will had attended them in the performance of their duties. He highly approved of the alteration which this Bill would make in the Commission. It would make the Commissioners more directly responsible; it would relieve them from the anomaly of their present position, and they would no longer lie under the disadvantage of being unable before that House to defend themselves from the charges which had so frequently been made. The very fact of their having no opportunity of refuting unfounded allegations had invited attack. If anything went wrong, the Commissioners were made the scapegoats. If a squabble arose in any one of the 15,000 parishes, or if any one of the 1,500,000 paupers were reported to have been ill treated, or if any one of the 5,000 officers entrusted with the administration of the law committed a fault, the first and last cry was that the Commissioners were to blame. If they dismissed any one of the offending officers, or called the board of guardians to account for the misconduct of their servants, the tyranny of Somerset House was inveighed against for having interposed at all; the Central Board was accused of having interfered too much. The charges of interfering too much with the local authorities, and the charges which were also urged of not interfering enough, could not be generally true; the one refuted the other; and he was inclined to think, on the whole, that the Commissioners had exercised a wise discretion, and had steered clear of either of these extremes. The Commissioners could only exercise the necessary supervision by the aid of the assistant commissioners, who were always the instruments; and the number of those officers had been diminished to such a degree, that they were in the end utterly incapable of fulfilling their onerous and most important duties. The consequence had been, that the Commissioners found themselves unable to discharge those functions required of them; and as, in certain cases, their controlling influence did not seem to have been felt at all, it was perfectly certain that the accusation levelled against them, of having too frequently obtruded their power, was not founded upon fact. Another cause of the unpopularity which had attended the Commissioners arose from what he considered to be an unwise prepossession on the part of the Poor Law Commissioners, and on the part also, of the Commissioners of Inquiry, who recommended the Poor Law Amendment Act to Parliament, against out-door relief to the able-bodied poor in the shape of labour. The recommendation originally was to prohibit out-door relief to the able-bodied poor after a certain period, and to apply the workhouse test alone. He thought the evidence given while the inquiry was being made, did not at all justify such a recommendation. The Commissioners of Inquiry admitted that the principle of the Act of Elizabeth was to make labour the test; and they decided that the workhouse test was only applicable, and

should solely be resorted to. The Commissioners had found themselves unable to carry out the recommendation, and had yielded to the resistance the attempt occasioned. Their peremptory order against out-door relief had been addressed only to a portion of the unions, and these unions had been chiefly rural. In 100 unions the principle had never been enforced, and where once enforced it had been from time to time relaxed. He did not believe that that exclusive mode of relief to the able-bodied poor had had the effect which had been promised, of raising the rate of wages. He thought, on the contrary, that the known unwillingness of the industrious labourer to enter a workhouse had been taken advantage of, and had tended to keep down the rate of wages. And what were the peculiar merits of this test? Mr. Joseph Livesey, guardian in the Preston Union, who gave evidence before the Settlements Committee, said—

"The only check at present is the workhouse check, which I consider not a sufficient check for numerous classes. It has been relied on, I think, a great deal too much; and the labour check, which I look upon as the best, has been undervalued. It is too severe upon the honest and industrious, and those who wish to be independent, and not severe enough upon the idle, profligate, and dependent."

Mr. Beckwith, clerk of the township of Leeds, gave evidence of a similar tendency, and Mr. S. G. Osborne expressed himself strongly in favour of another test. Mr. Osborne spoke from the experience he had had in Dorsetshire; and it might be asked, if the warehouse relief had had any effect in the rural districts in raising wages, how was it that in this country, where corn was 80*s.* or 90*s.* a quarter, wages were only 7*s.* a week? Why had not the labour test been applied in the first instance at the discretion of the guardians, not as the sole but as an additional test? The testimony which had been given by intelligent and practical men demonstrated that the recommendation of the Commissioners to apply only one mode of relief to the able-bodied poor could never be acted upon; and their own experience would satisfy them that popular feeling would always frustrate any effort they might make to facilitate the administration of the law, to the injury of a very numerous class, by confining the test of poverty to the workhouse. In the opinion of those practical and experienced men, the labour test fulfilled all the requirements of a fit mode of relief to the able-bodied, namely, that it should deter the idle applicant—that class of cases alluded to so much by the hon. Member for Bath—that it should detect imposition, and place the pauper in a worse condition than the independent labourer. If this was true, why not then allow it generally, at the discretion of the guardians; prescribing, of course, and regulating the mode in which it should be applied? The workhouse was a harsh, and hard, and cruel mode of relieving the really industrious and meritorious labouring man, and it was very often an extremely bad test of idleness. Conceal it as they might, the workhouse had a penal character about it. Without calling it a gaol, still he must say it was not very easily distinguishable from one. The hon. Member for Bath said, "The difference is, a man can walk out of one if he chooses, and not out of the other." But remember, that if he did walk out of the workhouse he was not let in again; and the very fact of his admission proved, that, in the opinion of the guardians, he could not live out of doors without help. The labourer himself would almost as soon go into the gaol as into the workhouse; and he himself believed that they meant it to have a penal character, and to punish him for his poverty. He held in his hand an admirable little book, printed, but not published, by a gentleman who had long acted as a magistrate and poor-law guardian; and he could not refrain from quoting a passage or two on this point, because it expressed exactly his own opinion on this point. He said—

"The building shall be excellent; the situation airy and pleasant; the master, matron, schoolmaster, and doctor, all alive to their duties; the dietary liberal; the hospital well tended; yards, day-rooms, bed-rooms, beds and utensils, all as clean as the decks of a Queen's ship; in short, all physical conditions better than in the best labourers' cottages: still, there is a moral offensiveness about the place intolerable to all decent men, and much more to all decent women. Of the many among your parish poor whom you never can persuade into the house, the worst shun it not for the worst reasons, and the best never fail to plead reasons which command your respect. The workhouse is a powerful check, but no test. The worst characters in every parish out of gaol are there exhibited as the union poor. But the most dramatic presentment of such persons and scenes should not make us forget that there are true poor in the land—Nature's poor and God's poor—worthy of all that society can do for them. Now, of the able-bodied who come to the board, the complaint of every one is, that he is out of work; and all he asks is to have work found for him. A more reasonable request cannot be made by any man in his alleged condition. The Statute of Elizabeth, therefore, found him work, and the principle was followed up by subsequent Acts. The being out of work is that which makes able-

bodied men paupers. Then why not try the remedy which the malady itself suggests, and the patient himself asks for? Why not set him to work? Why may not the parish or the State step in and put tools into these vacant hands? Though their labour did not pay in a commercial sense, it might in many other senses of which political economy does not profess to treat. It must be some very recondite law of nature which prohibits all public employment of the poor out of doors, considering what the alternative is for them and for society. All unemployed hands, if not upon the parish, are still upon the country. They are private pensioners, or hospital patients, or borrowers, or beggars, or stealers. They are poachers, smugglers, coiners, prostitutes, outlaws, and convicts — unprofitable vocations all to the commonwealth. The workhouse itself pays nothing unless as a repellant; and the repulsed, if not driven back upon work, are driven upon some of the aforesaid substitutes for it. Again, then, why not 'take order for setting them to work?' 'Because,' answer the political economists—and this is the most popular of the economical objections —'it is unjust to the independent labourer.' Now, be it remembered that though 'in England poverty be infamous,' yet paupers have to live; and in whatever way they do live, their living must lower wages, if they be really supernumerary, because it must come out of funds that would otherwise be wholly applied to the wages of a smaller number. The best conceivable test is low-paid labour; since, if accepted, it not only relieves the poor and keeps them out of mischief, but makes them return something to the public stock. The out-door works should be, if not entirely productive, yet of a useful or necessary kind, of which there are always some in every district that are nobody's business in particular. The surveyors might employ none but parish labourers upon the highways. The cleansing of towns and villages, and draining of waste swamps, so material to the welfare of the poor themselves, if they only knew it; whatever in any parish would be conducive to public health, recreation, or convenience, might be undertaken by the overseers of the able-bodied poor. In truth, the real difficulty is not to find work, but to see it done. If this could be secured, there would be little danger of an inundation of pauper labour; and we should then have a better measure of the real amount of our surplus population than we have ever yet had."

He had trespassed so long on the indulgence of the House that he should say no more than that he cordially approved of the Bill before the House, while he trusted that the Commissioners to be appointed under that Bill would relax the regulations of their predecessors in the mode he had pointed out, by admitting a well-regulated discretionary power in the guardians to relieve the able-bodied applicants by labour of a public character, and not limit them exclusively to workhouse relief. He believed that some general measure for the consolidated management of the highways of a union might be employed as an auxiliary for this beneficial purpose. He could not see any insuperable difficulty in organizing some public employment for this class of cases. The chief difficulty lay in the necessity of strict supervision. And that was a question chiefly of expense. But when they recollected that there had been found no great difficulty in employing this mode of relief, and that it had answered its end most successfully in places and at times when an extraordinary and sudden pressure of pauperism had occurred, as in the cases of the Bolton and Macclesfield unions in 1842, it could hardly be maintained that there would be any insuperable difficulty in adopting it with at least equal success under ordinary circumstances and in times when the pressure of pauperism was slight and moderate. [An Hon. MEMBER again suggested that the House be counted; but upwards of 40 Members being in attendance, Mr. Scrope continued.] The principles for the relief of destitution and the suppression of mendicancy and imposture, which he maintained, as well for England as for Ireland, as respected the able-bodied poor, were the same; and he gave them as his reply to the hon. Member for Bath. He would maintain three tests, or rather three modes of dealing with these cases according to the different classes into which on investigation they would be found to divide themselves—namely, first, relief in the form of public labour for the meritorious and industrious labourer, and also occasionally as a test of the willingness of the idle to work; secondly, relief in the workhouse to such cases as might be of doubtful character, and for which this mode of relief might appear the best test, though he thought they would be few; thirdly, the gaol for the habitual vagrant and mendicant. He thought they might trust to the local authorities a discretion in the application of these several modes of treatment to the uses to which they were best fitted. Such a mode of treatment would be consonant to the feelings of the great bulk of the people, who desired that the idle beggar should be punished, but also that the unwillingly idle and starving labourer should be relieved in that manner which was least repugnant to his feelings, and least prejudicial to his moral character and industrious habits. With this alteration in the practice of the Commission (and it was no very great departure from their present practice which relaxed the prohibitory order every winter in a number of unions), he thought the Amendment Act, especially with the changes proposed

in the Bill before the House, would secure such an administration of relief to the destitute poor as was required by the reasonable and moderate friends of the poor throughout the country; who were as far removed, on the one hand, from the extreme and violent dislike of the hon. Member for Knaresborough to the New Poor Law, as they were, on the other, to the equally extreme Malthusian and anti-poor-law doctrines of those economists who had resisted the application of the English Poor Law to Ireland, and would, if they could, repeal it in this country.

Sir W. JOLLIFFE said, in following the hon. Member for Stroud, there was very little to say regarding the Bill before the House, for his speech was chiefly a comparison between the old Poor Law and that of 1834. The hon. Member also said he should support this Bill, because he thought that the new Commission would act on a different principle in conducting the business of the Poor Law from that adopted by the existing Commissioners. The hon. Gentleman had, however, mistaken the hon. Member for Oxford, when he supposed that he objected to the central control. What the hon. Member had argued for was, central control accompanied by local administration. His hon. Friend the Member for Cambridge, who spoke the last night, appeared to him to have gone somewhat too far in defending the Commissioners—he exculpated them on points where they were clearly wrong. But while admitting the offences committed in the Andover union, he said he was not prepared to fix the responsibility of those matters on the Commissioners. Nor was he (Sir W. Jolliffe) ready to do so; nor were the members of the Andover Committee. There was nothing in the report to bear out the assumption that they did. On the other hand, he did not coincide with the noble Lord (Lord Courtenay) who had presided over the Committee in justifying the conduct of the Commissioners towards Mr. Parker. The Member for Cambridge had rested his objections to Mr. Parker, and his defence of the Commissioners, on slender grounds, when he said that Mr. Parker had been convicted of having conducted the inquiry in a partial manner. [Mr. M. Sutton had said that that was one of the grounds, not the only one.] The hon. Member had also laid great stress on the evidence of one of the witnesses—a clergyman—who was accidentally present, and who thought that Mr. Parker's conduct towards a friend of his (Mr. Westlake) who was under examination, was partial. He (Sir W. Jolliffe) must say that that witness impressed him with very little confidence by the manner in which he gave his evidence. It appeared to him also that what might appear to have been partiality in Mr. Parker's conduct, was very easily to be accounted for. He was sent down by the Commissioners to conduct an inquiry in his own district, where the accuser himself was looked on with mistrust by those who were associated with him (Mr. Parker) in the administration of the Poor Law. He fully concurred with the noble Lord (Lord Courtenay) in his opinion of the justice of the report of the Commissioner who afterwards investigated that case; but he went further than the noble Lord in condemning the conduct of the Commissioners. He thought their conduct towards Messrs. Parker and Day was not in accordance with the statute under which they derived their powers. With regard to the Bill itself, he entertained the same objection to it that had been expressed by the hon. Member for Oxford. He thought that the new Board of Commissioners would not only be a great inconvenience, but that they would also do a great deal of mischief. He hoped, too, that the House would modify that part of the Bill which related to the power of the Central Board over the inspectors. It would be impossible for those local officers to command the requisite respect if they were liable to be removed from their offices at the order of the Central Board. He had always seen grave and serious evils in the law, which he had encountered while attempting humanely to administer its provisions. Such evils must always exist in a system the principle of which was centralized.

Sir J. WALSH, as a member of the Andover Union Committee, had dissented from the opinion of the majority. He did not believe that, at any time since the trial of Warren Hastings, any public men had been subjected to so hard and severe an ordeal as the Poor Law Commissioners during the course of that inquiry. The stringent nature of the New Poor Law Amendment Act necessarily subjected its administrators to unpopularity in proportion to the fidelity and rigidity with which they performed their duties. The Commissioners always had to contend with a powerful array of public opinion directed against the whole principle of the law. They had

also to stand up against the powerful assaults of the most influential organ of public opinion in this country—an organ of opinion which, although in most cases it was supposed rather adroitly to follow and adapt itself to the prevailing opinion of the day, than to attempt to control or lead it, did, on this occasion, and on this particular question, take a different course. For it was well known that *The Times* newspaper had given the full force of its weight, systematically and consistently, against the principle of this law, and against the conduct of the Commissioners who were engaged in carrying it out. Of the Andover Union Committee, a large portion was composed of gentlemen of great talent, and well acquainted with the mode of conducting Committees, who were actuated by feelings of great hostility to the measure. One hon. and learned Member there was, who, as the advocate of Mr. Parker, took a most hostile course towards the Commissioners. It was impossible for any public men to be submitted to a more severe ordeal than they were. It should be remarked, also, that in consequence of their dispute with Mr. Parker, they were subjected to all the suggestions and the adverse use of all the information at the command of a person acquainted with all their acts, who was admitted to their intimate confidence, who was familiar with their whole course of conduct, and who, it must be said, was most unscrupulous in the use he was prepared to make of any information which he might thus have received in the strictest confidence. No communication, however private, no passing expression of opinion by any subordinate in the office, however confidently given, but Mr. Parker was prepared to bring it forward before the Committee, in violation of all those rules which it was of the utmost importance to the public service as well as to the security of private society should be observed. The office of assistant poor-law commissioner was never considered of so permanent a character as hon. Members appeared to think. They only held office so long as the Commissioners might require their services. If the House admitted a central authority at all, that authority must have power over its subordinates. If the assistant poor-law commissioners were never to be displaced at the discretion of their superiors, all practical control over their proceedings would be at an end. The case of Mr. Day appeared to advantage before the Committee; but it was important that he should be removed during the insurrection in Wales, in which particular district his continuance in office as assistant poor-law commissioner would have been attended with the greatest possible disadvantage. If it were to be supposed that these were appointments for life, and that, except for special reasons, and for gross misconduct, Mr. Day ought not to have been removed from his office, then he would admit that Mr. Day had been treated with considerable hardship. But he maintained that the Commissioners would have been to blame if they had continued Mr. Day in office, after they were of opinion that he could not perform his duties any longer to the advantage of the Poor Law Commission. With respect to Mr. Parker, it was strange a resolution should be carried in the Committee, in which the opinion of the Committee was expressed that he had not conducted the investigation at Andover with impartiality, and yet that the Committee should, at the same time, feel surprised at Mr. Parker's removal from office by the Poor Law Commissioners. It was no great impeachment of Mr. Parker's character to be dismissed because he had not conducted the inquiry at Andover to the satisfaction of the Commissioners. Mr. Parker's character had been, in his opinion, much more injured by the course he had adopted after he had ceased to hold his office, than by the mere circumstance of not having been considered to have conducted that investigation with all the talent he might have done, and in not having in all respects conducted himself to the satisfaction of the Commissioners. It was not without considerable doubt and hesitation that he gave his vote for the second reading of this Bill. He had been from the first a supporter of the New Poor Law; and all the reasons which induced him to support that measure, led him to look with some distrust upon the present modification of it. He did not deny that the New Poor Law occasionally presented an appearance of considerable harshness. But it would be a great set-off to any advantages accruing from the presence of the Ministers responsible for the control of the New Poor Law, that the administration of the law would become a party question, and that the Minister of the day would be frequently assailed through it in that House. The Poor Law and the Ministry would be so mixed up that much injury to the beneficial working of the law would, he feared, frequently be the result.

Mr. FLOYER, in looking over the present Bill, could not see anything of a beneficial nature in it for those classes who were to come under its operation, or anything calculated to satisfy the anticipations that had been raised of a change in the present law. Remembering the speeches made by those who had obtained popularity upon the hustings by their opposition to the New Poor Law, he thought there were few Members of that House who had not stated it as their decided opinion that the Poor Law Amendment Act did require a very decided and material amelioration. It was humiliating, after a period of thirteen years had elapsed since the passing of the New Poor Law, after so many Committees of that House had sat, after so much money had been spent on Commissioners and assistant commissioners, that a state of things should exist in which a Bill like the present should be necessary. He thought this Bill did not fairly grapple with the subject; that it did not enter into the real fundamental principles and merits of the question. This Bill proposed to establish a Board, consisting of a President and two Secretaries, in lieu of the present Poor Law Commissioners and their Secretary. It was time that the title of the Commissioners was changed; but it was not their title that made the Poor Law Commissioners unpopular—it was the Poor Law Commissioners who made the name unpopular. If, therefore, the title of the Commissioners only was to be changed, they were doing nothing to meet the real exigency of the case. The Bill now before them also contained a provision enabling the Members of the new Board to sit in that House. He considered, in some points of view, that this was a beneficial provision, although he admitted that some strong objections might be urged against it. However, after the clear statement made by the right hon. Home Secretary of his views on this subject, he was willing to concede that upon the whole the balance might be in favour of the provision. There was another provision in this Bill, which, he thought, could hardly be called a beneficial provision; he alluded to the exemption of the new Board from keeping any Minutes of their proceedings when they might chance to differ in opinion. It was clear, from the evidence given before the Andover Committee, that the present Commissioners had kept their Minutes very loosely, imperfectly, and inefficiently; but that was no reason why such Minutes should not be kept at all. The Bill empowered the President of the new Board to sit alone; but the Secretary of State for the Home Department, the Chancellor of the Exchequer, and other Cabinet Ministers, were to be Members of the Board; and if they attended its sittings, perhaps the House had no right to expect that Minutes of the proceedings should be kept. He might be told, "If you have no other objection to urge against the Bill—if you think the central authority ought to be maintained—you ought to support the measure." It was true that the central authority must be maintained, at least as long as the Act of 1834 continued in operation. By that Act—or rather by the order of the Commissioners under that Act—the able-bodied poor man, except under peculiar circumstances of sickness or other emergency, was not entitled to receive any relief except in the workhouse. That provision might be necessary, just, and politic: it might be for the real benefit of the poor man; but he thought that no Member of that House would disagree with him when he said it was, under some circumstances, a measure of very peculiar pressure and severity upon the poor. That provision met the poor man when he was exposed to great and unusual difficulties; and if it were not for the power given to relax that rule under peculiar emergencies, it would, in many cases, involve the poor labourer in the deepest misery. He considered, then, that it was absolutely necessary the power of removing the severe pressure of this provision of the law should be continued; but it must be remembered that the power was merely that of mitigating and relaxing the existing law. It was contended, the other night, he believed, by the hon. Member for Cambridge, that if the central power was continued at all, it ought to be maintained in its integrity. He did not consider that argument of conclusive or unanswerable strength. The Poor Law Commissioners had the power of making laws for the regulation of workhouses. With reference to this point an allusion had been made the other night to the powers conferred upon magistrates of making laws for the regulation of prison discipline. The magistrates, it was true, had that power; but, on looking back to the several Acts sanctioned by the Legislature for the government of prisons, it would be found that rules were laid down with very considerable minuteness and at great length,

with reference to that subject; and he thought no magistrates, nor even the Secretary of State for the Home Department, would venture, upon their own authority, to frame any rules for the government of prisons which were not in accordance with the provisions of the Acts of Parliament. They knew, however, that the Poor Law Commissioners had claimed an absolute authority to impose upon the board of guardians such regulations as they might be pleased to enact; and he thought the House would have done much for the benefit and comfort of the poor if a portion of its time had been occupied in framing rules for the direction and regulation of poorhouses, and for carrying out the law relating to the relief of the poor, in the same manner as they had prescribed certain regulations for the government of prisons. These were some of the points on which he thought the power of the Poor Law Commissioners might, to a certain extent, be supported; but the Commissioners had exercised other powers which he considered ought to be restricted. The manner in which the Commissioners had exercised their power for the formation of auditors' districts in the county (Dorsetshire) which he represented, had excited very strong and general dissatisfaction. There was another point to which he wished to call the attention of the House, because he thought it illustrated the effects of deputing unlimited powers to such a body as the Poor Law Commissioners. In 1839 or 1840 regulations were issued by the Commissioners, under which relief to non-resident paupers was very considerably limited. Those regulations provided that relief should not be given to paupers not residing in the unions, with some exceptions; and among these exceptions no provision was made for giving relief to paupers belonging to any union, but who might not reside in such union, in case of illness or any emergency of that nature. It was true that, in consequence of the opposition manifested to this regulation, the Poor Law Commissioners did not persevere in enforcing it; but the effect of that order, if it had been carried out, would have been to increase the number of removals to a very great extent. He considered, from the Poor Removal Bill of last Session, that it was the wish of the House to prevent, as far as possible, the necessity of removing the labouring poor, when it might be necessary for them to apply for relief; but the effect of the order of the Commissioners to which he had referred, if it had been carried out, would have been entirely at variance with the wishes and intentions of that House. If a question of this kind were to be dealt with at all by the Government, he did think that it ought to be dealt with by them in a large, wide, and comprehensive manner. It was true that the present Government had been occupied with subjects which demanded great and immediate attention—subjects under which any Government less able and less courageous would have reeled, and sunk, and been broken up; and he hoped that if they did agree to the Amendment proposed by the hon. Member for Knaresborough, the Government would in another year bring forward a measure calculated to realize the hopes that were entertained in every part of the country.

LORD J. RUSSELL: Sir, it has been very justly said, in the course of this debate, that it is not one question, but three questions, we have under discussion, and those three have been mixed with various others which it is hardly possible to take sufficient notice of, much less to settle, on the present occasion. And yet I cannot avoid, before speaking immediately to the question of the second reading of this Bill, adverting in some degree to two very important questions, no doubt connected with it, and upon which some hon. Members have spoken at considerable length, scarcely noticing the provisions of the Bill. I mean especially the question of the Amendment of the Poor Law itself; and, secondly, the administration of that law under the Poor Law Commissioners, as brought to light by the voluminous evidence given before the Andover Committee. Now, Sir, with regard to the Poor Law Amendment itself, let Gentlemen consider a little what was the nature and description of that administration which the Poor Law Amendment Act was intended to reform, and how far it was liable not only to the objection of abuse, of corrupting the labourers of this country, and destroying property, but likewise to many of the various objections brought against the present system. We are told that here is an arbitrary power given to a Central Commission—that it is at variance with the constitution that any three men should have power to frame laws, regulations, and rules, by which relief is to be given to the paupers of this country. Why, Sir, what was that system of administration, to which it is well worth while to advert, because I am not without appre-

hension that unless this House determines to persevere in the present system, at least to preserve its great outline, we may in the course of a few years again find ourselves falling into that same system of vicious legislation which we with difficulty got rid of. It unfortunately happened that the prices of provisions towards the close of the last century rose to a height far beyond any amount which they had reached for a century previous to that time; and the greatest difficulty was then felt by the labourer in his attempts to provide for his family out of his wages. What course was at that time adopted by those upon whom the administration of the law devolved? Certain justices assembled and made new laws in total disregard of the law of Elizabeth. By the laws which those justices then made, the distressed labourer, in addition to his wages, was to receive a certain sum out of the poor-rates to aid him in supporting his family, which amount was to be measured by the prices of the quartern loaf and the number of persons of whom the labourer's family consisted. This, I need scarcely remind the House, was completely at variance with the law of Elizabeth; the law of Elizabeth never contained any such provision. It provided for the maintenance of the poor, of the infirm, of the impotent, of the orphan—it provided, also, that able-bodied labourers should be set to work, that work should be found for them, that work should be made a condition of their relief; such was the principle of the law of Elizabeth, and such, also, was the text of the law as it has been recently read by the hon. and learned Member for Bath. The plan of making additions to wages out of the rates never formed any part of the law of Elizabeth. That those who were in private employment should receive out of the rates such an addition to their wages as would be sufficient to render those wages an adequate reward for their labour, was a principle which never entered into the composition of the law of Elizabeth. Such a plan is totally at variance with the letter and the spirit of the law of Elizabeth. Yet those who now complain should be made aware that this change was effected, not by an Act of Parliament, but by certain resolutions of a few magistrates. The first meeting at which resolutions of this kind were adopted was held in Berks; and other counties soon followed that example; and the manner in which they followed it out, consisted in being governed by no other rule than the discretion of the magistrates. They proceeded upon a principle perfectly arbitrary, though doubtless with a view to the benefit of the people. They thought it desirable to enable the working people to do something for the maintenance of their families beyond what their wages supplied; and this they did without allowing the ordinary rules by which wages are raised to produce their natural effects. They interfered with the beneficial working of those rules, and their proceedings were solely regulated by their own views of the public safety. To whom were those magistrates responsible? No Lord Chancellor would think of dismissing magistrates for having pursued such a course—they acted with the best intentions. When they laboured honestly for the benefit of the poor of the country, no one would think of proposing that they be dismissed from the commission of the peace. There was nothing in their proceeding which could be considered as an unconstitutional abuse of power; and the magistrates having done this, let us for a moment consider what are those Commissioners, whose power is said to be arbitrary and unconstitutional. They can at any time be dismissed at the pleasure of the Crown, on the recommendation of the Secretary of State for the Home Department. If the Secretary of State should defend those Commissioners in their wrong doing, this House and the other House of Parliament can take the subject up. The Legislature has the power to interfere, and the Secretary of State is responsible to it. The power thus irregularly vested in the magistrates was by the Poor Law Amendment Act transferred to those of the Commissioners. It was then found that, although these legislative enactments were framed by justices at their meetings with the most benevolent intentions, yet that they led to gross abuse, as the statements supplied at great length in the evidence of the overseers given in 1833 and 1834 clearly established. It was then shown most clearly that abuses sprung up from the manner in which the vestries acted when they reduced the wages of labour to the lowest possible amount, and when they dismissed certain cases in which the farmers had refused to give employment for a day or for half a day. The whole effect was, that those who so altered the law of Elizabeth—that those who so employed the law of Elizabeth, did not raise the labourer; but on the contrary, reduced the independent labourer to the

condition of a pauper. The whole country was in consequence overspread with men called labourers, but who were really deriving relief under the Poor Law, and who were for part of their subsistence dependent upon parochial relief and upon the resolutions passed at the parish vestry. They were dependent on the individual caprice of the members of the parish vestries, and dependent on men who often took a dislike or spite to a particular labourer, and who calculated according to their private feelings the measure of the relief which was given to the labourer, though that relief ought to have been given according to law only to those who were destitute. But when the Government of Lord Grey attempted to reform those abuses, it became sufficiently obvious that they could not do so without encountering —not merely while the measure was passing through Parliament; not merely for one year or for two years, but for many years—an opposition of the most formidable kind, and also a very considerable amount of obloquy. I will state, from Lord Althorp's speech in 1834, what he proposed to himself in the Bill he brought forward in the name of Lord Grey's Administration. Lord Althorp said—

"The House will see that the effect of this measure is to stop the allowance system, to deprive the magistracy of the power of ordering outdoor relief, to alter in certain cases the constitution of parochial vestries, to give large discretionary powers to the Commissioners, and to carry into operation further regulations which may be found essential in order to improve and bring into a good state and condition the present system of laws regulating the relief of the pauper portion of the community."

Now, observe in this statement, what interests, what prejudice, what power Lord Althorp had to run counter to in the reform which he proposed. The first effect of the measure was to stop the allowance system, which went, as I have said, to degrade the labourer. Yet, on the face of it, it was a system of indulgence; still what interests, what power, what prejudices, were called into action for the purpose of opposing the alteration, on the ground that it stopped the allowance to the labourer. It was on the face of it a system of indulgence, and even though it might increase the amount of the poor rates, he felt it could not fail to be objected to, and to be represented as an injury to the poor man, and a design of the Government and the Parliament to benefit property at the expense of the labourer. It was next represented as a plan for depriving the magistrates of the means of affording the ordinary amount of relief, though the great body of the magistrates were most willing to part with that power. Many, perhaps not the best of the class, cherished the power which enabled them to induce the poor man not to seek relief in his own parish, and thus the idle and improvident labourer would often travel six, or eight, or ten miles, out of his own parish, in order to get an order against an overseer for relief from one of those magistrates who were called the poor man's friends, and who, by the course which they pursued in such cases, attained a certain degree of popularity in the country. All these magistrates were indignant at the alteration of the law, and did their utmost to provoke the opposition of the labourers to it. Then, as Lord Althorp observed, the new law proposed to alter in certain cases the constitution of parochial vestries, which in many instances had favoured the grossest abuses. In those vestries were placed men who ordered relief, and who afterwards made great profit by the contracts entered into—men who were most liberal and bountiful with the rates of the parish—who built a great many bridges at the expense of the county, who were always extremely generous in the parochial vestry, and who found their own incomes very much increased at the end of the year, in spite of the heavy rates which they passed. Here, then, was another source of unpopularity for the new law. Here was a great number of persons who had shared in this system of abuses, and who were afterwards greatly shocked by the inhumanity of the new law, and by its oppression towards the poor, meaning, thereby, their own deprivation of those unjust profits which they had previously obtained. Then came another object of the law, as stated by Lord Althorp, namely, to give large discretionary powers to the Commissioners. Now, it was absolutely necessary, as Lord Althorp explained, considering the different mode in which the law had been administered in different parts of the country, considering the difficulty and impossibility of carrying one uniform system into effect, to give large discretionary powers to the Commissioners. Nevertheless, such a proposition afforded the opportunity of raising an outcry against the powers granted to the Commissioners——of designating them as "unconstitutional" and "arbitrary"—of talking of the three kings and three tyrants which

were set up, and of indulging in every sort of exaggeration and invective to which the grant of large discretionary powers might give rise. I think, then, I have shown from that single sentence delivered by Lord Althorp, declaring the intention of the law, what room there was for unpopularity, what probability there was, in carrying these objects into effect (and I believe, and I think the majority of the House believes, that Lord Althorp was right in carrying these objects into effect), of opposition to such a law, and of causing, in many instances, persons who clung to the abuses of the old law to unite and declaim against the tyranny and oppression of the new. It was a question, in proposing the law of 1834, to what body these discretionary powers should be entrusted; and I will speak presently as to the constitution which was finally adopted. But what I have at present to speak to is the question of the complaints which have been made of the particular administration of the law of late years. We have had certain resolutions entered into by the Andover Committee. I formerly stated, that if those who agreed in those resolutions thought it advisable to bring forward a vote of censure against the Poor Law Commissioners, founded on the report of that Committee, I should resist such a vote of censure. It, however, has not been thought advisable to bring forward any Motion of that kind. I do not, therefore, now mean, as it has not been thought advisable to adopt such a course, to enter into all those questions which were agitated before the Andover Committee, and only incidentally brought forward during the present discussion. The Andover Committee may have been right or wrong in adopting those resolutions. With respect to certain questions brought before them, I declare myself incompetent to form an opinion, on the correctness of which I could rely; and having general confidence in the character, attainments, and integrity of the Poor Law Commissioners—character and integrity not, in a general sense, questioned by that Committee—I am ready, confiding in those qualities, to suppose that the Commissioners acted with discretion in those particular instances; such as, I mean, requiring the resignation of the two assistant commissioners. I think the observations made by the hon. Member for Radnorshire extremely sound on that point. I cannot understand that the House would wish, as one hon. Gentleman in the course of this night desired, that Parliament should give the assistant commissioners a complete freehold in their offices, depriving those who were placed over them of all discretion and control with regard to their removal. With respect to the ordinary offices of the Government, I believe that it is absolutely necessary to have the power, though it might be seldom exercised, of insisting on the removal of those who act under the orders of the heads of departments. For my part, as Secretary of State, or head of a public department, if I were convinced that any clerk was incompetent, or that he did not perform his functions to the benefit of the public, I should feel it my duty to require his removal; and I cannot understand that any department can be satisfactorily carried on unless such a power is vested in its head. It has been said by the Andover Committee that there was no ground for the removal of Mr. Day and Mr. Parker; but I think that the Commissioners had far better means of ascertaining whether those gentlemen were discharging their duties for the benefit of the public than the Andover Committee, who had not experience of the conduct of those gentlemen under them for a considerable period. Now let us consider in what manner those gentlemen were appointed. Look at the case which I have put just now, of a clerk in a public department. If a gentleman at 18 or 19 years of age entered into a public department, and continued in it for several years, there is a great hardship in removing him; but when a gentleman has entered at once into the office of assistant commissioner, and when he has not abandoned any other profession for the purpose—when he must consider his employment as only temporary—I do think that the circumstance of his not having conducted his office according to the wishes of his superiors, and of his not having given satisfaction, constitutes a sufficient reason why such a gentleman should be called on to give in his resignation. But I am sorry to say that there is more in this part of the case than I should wish to have had so completely proved: it is, I am sorry to say, completely proved that there was in the Commission such a division—such a jealousy of the Poor Law Commissioners—such a wish to set up the assistant commissioners against those under whom they were serving, that it was almost impossible that there should not arise causes of difference of opinion between the Commissioners and the assistant commis-

sioners; and this is, I think, that part of the question on which, if I thought that Mr. Chadwick, the Secretary, was in the right, I should say at once that it would have been the duty of the late Government, as it would be of the present Government, at once to dismiss the whole of the Poor Law Commissioners; because it is stated that it was the wish of the Commissioners to conceal abuses; and it is stated that they would not countenance any assistant commissioner who complained of abuses brought under his notice. Now, I look for some proof of so grave a charge; but I confess that when I look for that proof, I find it to be of the most meagre character imaginable. It is said that Mr. Parker made complaints with respect to some workhouse accounts—that in 1843 this complaint was made incidentally; and that, on repeating it, he was told that a Bill was brought into Parliament with a view of correcting the whole system, and therefore it would be better to wait until that Bill passed. The Bill was given up at the end of the Session, but was introduced again in the next Session; and because the Commissioners said that the system is bad at present, but it is better to wait for a general reform than to go against any particular case of abuse, is it to be inferred that the Commissioners set their face against the representation of abuses? So sweeping an accusation, on such an insufficient and meagre ground, never fell under my observation. But this I must say, that I do not think it was for the secretaries or for an assistant commissioner, such as Mr. Parker, entertaining that opinion, to go on acting under the Commission, neither resigning their situations nor making a complaint to the Secretary of State, to the effect that they were acting under Commissioners who did not perform their duty, inasmuch as they were anxious to screen abuses rather than to detect and investigate them. I think this was a great dereliction of duty on their part. It was their bounden duty, if they believed such to be the case against the Poor Law Commissioners, to have brought the subject before the Secretary of State, to have it investigated and decided on. It does not appear that they went before the Secretary of State and made any such complaint; and I must say, that there is no possible department, be it what it may, whatever may be its power and authority, which can be able to stand, if those who are its subordinates, instead of submitting entirely to their superiors, and instead of making representations when they have orders to perform to which they object, are undermining and countermining against those superiors. There is no department which under such circumstances can be expected to act efficiently and beneficially. It is that kind of house which we are told upon the highest authority shall not stand. I think, therefore, that while this charge is made—and made very loudly—there has not been any proof of it, and the Poor Law Commissioners are in my mind acquitted of this, the only grave charge against them. With respect to their understanding the law, it may have been different from that of their Secretary; that they conducted business in a way which some Gentlemen may think, and which all Secretaries of State have thought, was in conformity to the law, but which others thought was not in conformity to law; that with respect to certain individual cases, and more especially with regard to the case of the Andover Union, they exhibited a want of discretion; that several of their decisions with respect to that inquiry were not guided by sound judgment; that with respect to some other particular cases they may have failed to keep to that rule and conduct which would have been altogether the wisest—all these I consider as very minor charges, very inferior in importance, and I do not think that the Commissioners intrusted with a duty which I have shown to be so difficult, and which excites so much odium, ought to be arraigned upon accusations like those. I am told that, with regard to the working of the law, while no doubt there have been complaints in particular instances, yet that, generally speaking, the working of that law has been more satisfactory during the last two years; and that during the present year especially—and certainly I can answer for it ever since my right hon. Friend has been Secretary of State—the complaints, considering the number of unions, I believe 590, have been remarkably few, and that the guardians in general say that they are satisfied with having to receive orders of the Poor Law Commissioners; and that they would rather have some rule to guide them than be left to act entirely according to their own discretion in administering the law. The hon. Gentleman who opposed the second reading of this Bill, made various accusations both against the law and against the Commissioners; but accusations so extra-

vagant, so far beyond anything he proved, so entirely resting on assertions, that I do not think it necessary to notice or to reply to those assertions. I have taken notice of that which I think a very serious charge —the wish to defeat or suppress complaints of abuses. With respect to those other matters, of conveying paupers to Manchester, and exposing them to misery and starvation—such charges rest upon so little authority, that I do not think them worthy of any serious consideration. I come now to that which is the third question under discussion, and which is properly the only question for discussion this evening, namely, whether the plan proposed in the present Bill is such as to deserve so far the sanction of this House as to allow the Bill to be read a second time. And here we must first ask the question, whether there should be any central control? Shall we have any central control at all? Shall we allow the Poor Law Commission to expire and leave the state of the law to be this, that relief to the poor shall be administered by unions and boards of guardians in those unions; but that those boards of gurdians shall each exercise its own discretion as to the mode of administering the Poor Law of Elizabeth and the Poor Law Amendment Act of 1834? The result of the discussions, I think, shows that in the opinion of this House there ought to be some central control. I think it desirable, both in order to prevent oppression to the paupers, and likewise to prevent those abuses which are exceedingly favourable to the paupers, but most injurious to the labourers of this country. I consider that the boards of guardians would administer the law more strictly and harshly than if there were not an appeal to some central body, and that central body had to answer for its conduct to Parliament. Now, suppose with regard to the Andover union, or any other union, some Gentleman had discovered great abuses; this House might appoint a Committee to inquire into the abuses of that union; it might be found that the master of the workhouse in that union had misused his power, and had acted in a manner totally at variance with his trust; and the report of that Committee would be that such workhouse master ought to be dismissed, and that the poor-law guardians had acted very negligently in not dismissing him. But where could be found one person disposed to go through I do not know how many thousands of questions—to sit here day after day investigating such inquiries; and, perhaps, next year we might have five or six other unions, in which we might have to recommence similar inquiries of similar length, and end with a similar result. It is not an object which should so far attract the attention of Parliament, or which would so far induce Gentlemen to give their time to it, unless some whole system, or central system, were involved. We should not find that Committees of this House would enter into the details of the management of every union, and deliver their opinion as to the competency or incompetency of each board of guardians, which board of guardians at the end of the year goes out of office, and some other persons are elected in their place, for that particular union. I think the House must be convinced that such a system, would not be any security for those who may suffer hardship under the Poor Law. As to its preventing abuses, I feel confident it would not. I feel confident that, if some boards of guardians were harsh, there would be others in which the allowance system would spring up again. We should soon hear of that system, disguised and palliated by every sort of excuse; and, there being no Poor Law Commissioners, or inspectors, or central board to refer to, these abuses would return in greater strength, and, in a few years, we should find ourselves no better off than we were in 1830, when a system of apparent indulgence and liberality ended in rural insurrection, and setting fire to the farms and houses of those who then administered the law, now called the good old system of relief. I come then to the conclusion that there ought to be some central control—a conclusion in which I have heard generally the Members of this House, though adverse to the present Poor Law, and still more adverse to the present Commissioners, concur. Well, then, what should be the kind of control? The hon. Gentleman the Member for Radnorshire, I think, said he remembered very well that Lord Althorp said he thought it was desirable to remove the Poor Law Commission from all party or political struggles, and to make them a body apart, as it were, from the usual dissensions of party. I believe that I was the person who induced Lord Althorp to take that view, because I know perfectly well, from the communications I had with him, that his original intention was to propose that the Secretary of State should form a part of the Poor Law Commission, and

that he should have a general superintendence along with the other Commissioners of the direction of the Poor Law. I stated to Lord Althorp what the hon. Gentleman has said Lord Althorp afterward stated in this House; and I succeeded in persuading Lord Althorp to abandon any plan placing the Secretary of State in the Commission. I had hoped that the removal of the Commissioners from party struggles, and the appointment of them, which, I must say, so far as I know, has always been the case, solely with reference to their fitness, and without regard to political party or attachment, or whatever their political feelings might be, would have prevented the daily administration of the law from being brought forward as an exciting topic in the debates of this House. But in that respect I must own I have been completely mistaken. The acts of the Poor Law Commission have been brought into this House; the Secretary of State has been obliged to defend those acts. If this House had not supported the Secretary of State in that defence; if they had disapproved and censured all that he had supported and approved; if they had condemned all which he thought worthy of praise, it is obvious that he would have been as much committed as if he had been himself an original member of that Board and of that Commission. The fact is, I believe, that in every instance this House, whatever Government was in power, has supported generally the resistance which the Secretary of State has made to Motions of censure, or Motions implying censure upon the Poor Law Commissioners. Therefore, we have not that total separation from the affairs of Government or from the Ministerial interests and connexions which it was supposed originally we should have. We have had certainly a freedom from party struggle, because I am happy to say, that from 1834 to 1837, with some exceptions, but those not exceptions of the chief leaders of party either in this or the other House of Parliament, the Poor Law has not been made matter of political contention. But the question then arises, whether, as it has been necessary for the Secretary of State to become aware of all that the Poor Law Commissioners have been doing, is it not better that the person who guides this machine, who directs and dictates the decisions, should himself be a Member of this or the other House of Parliament, and should be there ready to defend his own conduct, and give a complete instead of an imperfect explanation? I admit that in so doing we connect the administration of the Poor Law more directly with the Government. I admit that there are evils connected with that proposal; but let us see where we have arrived. We have arrived, if the House is agreed with me, at the point that there should be some kind of central control; and experience has shown that a control vested in persons who are disqualified from being Members of this House, does not prevent the Government of the day from being in a great degree responsible for the Poor Law Commission, but which does prevent that full inquiry and discussion in this House which it is so desirable to have. What then remains? What remains but to try that which we now propose? It is quite a subordinate question, whether we should have one Commissioner, with certain Members of the Cabinet joined to him; or whether, as the hon. Member for Dorsetshire proposes, a department connected with the Home Office should be responsible for the Poor Law Commission? With respect to the principle that I am now stating to the House, the two plans are identical. They both connect the poor-law administration with the Government of the day; they are both liable to all the objection, that by that means you invite party opposition, and by that means you get your party and Government support to that to which Members of this House might see reason to object. I confess, that being persuaded of these two points—being persuaded that you must have some central control—being persuaded that the system upon which we have gone since 1834 has had a great and serious defect in it—that that defect has been injurious both to the Government and to the Poor Law Commissioners—that the Government have suffered for acts which they did not originate—that the Poor Law Commissioners have suffered for acts of which the whole history was not known in this House—seeing that such has been the case, I think there remains no alternative but to connect the poor-law administration with a department of the Government. I come, then, to that further question, whether we ought to connect it with an existing department of the Government, or whether we should make it a separate department of itself? I own I think that the Secretary of State, with his original powers as Secretary of State—with the various business that has been imposed upon him by Acts passed within these few

years—with the attention that he must give to all the other business of a Cabinet, foreign and domestic, and to the business of this House—has already sufficient, if not more than sufficient, to absorb his time and attention, without connecting him, especially and solely, with the administration of the Poor Law. If that be the case, we must either have one person, like the Secretary of State, or we must have something in the nature of a Board. I confess I have no great preference for one plan or the other; I do not think the plan that we propose is liable to the objections that have been stated, and that were so well stated, by the hon. Member for Oxfordshire in the course of this evening. He said, "You will have this evil—the Members of the Cabinet will not be able to pay all the attention which is required in order to form a proper decision upon the points connected with the Poor Law that may come before them; and yet, being Members of the Board, they will consider themselves bound to defend those decisions when they are afterwards brought before Parliament." I do not think that the plan is open to that objection. It is, in fact, only adopting the method which, with regard to other departments of the Government, is found sufficient to secure responsibility—responsibility in one head—and yet to enable that head to get the assistance and counsel, if necessary, of other Members of the Administration. There is the Board of Trade. The President of the Board of Trade has various colleagues connected with him; he, in fact, is only President of a Committee of Privy Council for the affairs of trade; with respect to all minor points, he and the Vice-President would settle them without much reference to colleagues; if there should be a question of considerable importance, other Privy Councillors belonging to the Cabinet would take part in it; and afterwards, when the matter was brought before Parliament, they, either agreeing with the President in his opinion, or having persuaded him to yield to another opinion, are ready to defend the decision which has been arrived at. It is not very different with regard to the administration of the affairs of India, by a Board which includes the three Secretaries of State. But, as I said, I think this is a matter of detail, rather to be considered in Committee than on the second reading of the Bill; the real principle of the plan that we propose is, that there should be a head; that there should be a President, who shall be responsible for the administration of the Poor Law; that that head should have a seat in Parliament; and that he should be called upon in Parliament to defend that administration. I see all the disadvantages which I originally saw in connecting the poor-law administration with the Government; I quite admit that it exposes the Government to odium and to obloquy, to which a Government was not formerly exposed. I admit that it had a far easier task when every parish vestry decided upon every question of relief that came before it; and when a case of abuse, of harshness, or of cruelty occurred, the whole indignation of the public was turned against this particular vestry, and no part of it fell upon the Government of the day. But we have attempted to make a great social change in respect to the administration of the law. We attempted in 1834 to reform those abuses which had grown out of the deviations of the Act of Elizabeth in 1796. I think that those reforms cannot be carried completely into effect unless you have a central control, and that persons exercising that central control are responsible to Parliament. I believe in that manner you may get the machine to work far more smoothly than it did in the beginning; that you may get it to work so smoothly that the causes of complaint brought before this House may be very few, and that the answers to those complaints may take but little of the time of this House from debates. What I wish to see is that the Act of Elizabeth conferring relief should be carried into effect, in all its spirit, in the manner which is conformable to the state of society and to the institutions of the present day. The exact words of the Act of Elizabeth may hardly be applicable to a time when, if you set the poor to work upon any manufacture, they would either be competing—unfairly competing—with those who are independent labourers earning wages, or their work would be inefficient and useless work; but, that the workhouse system is in accordance with the meaning of the Act of Elizabeth, I entirely believe. That relief should be given—given largely and liberally—given in conformity with the spirit of that Act, I believe is necessary to the maintenance of the frame of society in this country; and therefore it is that I do not think the expenditure which is now incurred—an expenditure nearly amounting to the whole sum which is raised by the property and income tax in this coun-

try ought in amount to be complained of, if the method of administration is that which it ought to be. I think that by adopting this Bill—admitting that it is an experiment—admitting that it is a change in the present law—admitting that no one can be certain that similar defects to those which were not foreseen in the Act of 1834 may not be found in the proposed Act of 1847—admitting all this, I think that this is an expedient course; in a path beset with difficulties I think it is a course which we can with most confidence ask the Parliament to adopt; and therefore, I am prepared to ask the House to consent to the second reading of this Bill.

MR. DISRAELI observed: As I have very little to say on this Bill, I hope to compass my observations so that I may conclude before the midnight hour. The noble Lord has said that Lord Althorp suggested that this should be made a public appointment, and the head of the office be brought into the House of Commons, and that it was to the noble Lord (Lord J. Russell) we are indebted for the suggestion not having been adopted. Though I admit that the noble Lord (Lord J. Russell) is a great authority, I cannot admit that he was correct in the advice he then gave to Lord Althorp. The general business of the country must be brought under the control of the House of Commons. A certain interposition of factious sentiment, indeed, may occasionally be incident to such a process; but when we look at the nature of our Parliamentary constitution, we shall find that attempts to carry on the business of the country without the interference of Parliament — the palpable interference of Parliament—has always proved a failure. I beg, however, to observe this, that throughout the argument of the noble Lord, and of all those very numerous, and I admit important, authorities who agree with the noble Lord, this fallacious assumption pervaded the whole of their reasoning. They say, "You admit that control is necessary;" and then they and the noble Lord assume that this control must be metropolitan. The noble Lord always assumes that general control must mean a metropolitan control. There is no stage, no halting-place, in his philosophy between an obscure parish and Somerset House. Now, I have never for a moment, or upon any occasion, expressed an opinion challenging the importance of having a control over the parochial administration of this country; and certainly after what has occurred, whatever our private opinions may have been, I think it would be unwise to assert the independence of parochial authority; but I cannot consent to the proposition of the noble Lord, and conclude, because it is demonstrated that a solitary parish cannot be left to itself, the control must be placed in the metropolis of this great kingdom. There is to be a central control, but central is a relative term—it may be answered by an authority in the centre of each county; and, as the administration of the law must be local, I cannot understand why the control should not be placed in each county. But there is to be nothing to choose between the maladministration in an obscure parish in the county, and the interference of the highest authority in the Ministry. That is the position of the noble Lord. I challenge that position, and that is the question really before the House; because, although the noble Lord entered into a discussion of the administration of the Poor Law before 1834, circumstances have forced upon us the reconstruction of the system of central control then adopted. It is not the principle of the Poor Law which is now under discussion, and I shall not enter upon that discussion—I will take the Bill as one for the reconstruction of the central authority; its evils the noble Lord admits; he regrets the necessity, as he thinks it, of the interposition of the State in parochial affairs; he feels how injurious it may be to have the local administration of the country brought before the Imperial Legislature; but he says that it is impossible to devise any middle course, and he says that there cannot be an efficient control, except in the metropolis of this great empire. Now, I wish the House to devise a central control, but not a central control in this great metropolis; and I do not see why it should not be deposited with the chief central authority of each county. I do not see why, in reference to the poor of Shropshire or Buckinghamshire, the question should not be settled elsewhere than in London. You yourselves admit the evils of large unions, and yet the very basis of your system is an union larger than all, the central authority of which is in the capital of the British empire. You admit that all the evils have arisen from the want of local knowledge, and from the adoption of stringent rules in the absence of a knowledge of what is called "the custom of the country;" all

these evils are freely dilated upon, and yet you will aggravate them by a system which places us under a metropolitan instead of a county control. Let us look for a moment at the scheme which is placed before us. The noble Lord is about to bring a Minister for the Poor into Parliament. A labourer suffers in some obscure parish in the country: he considers that he is injured; his case is brought forward by some guardian; he does not obtain relief from the board; his appeal is brought to London; his case becomes a question for the House of Commons: and who is it that will be responsible for the hardships of this single labourer? Why, Her Majesty's Ministers. The evils of bringing the parochial system under the notice of the Imperial Legislature will be immensely aggravated by your proposed system. "Well," says the noble Lord, "I have to congratulate the House on the absence of party feeling on these questions;" but I have heard the noble Lord at other times, in reference to them, make accusations and statements which bore an opposite character, though I hope they were wholly unjust; but it is possible that in a great social revolution, where men have much at stake, that there may not be such forbearance by men on all sides; and there is no shutting our eyes to the possibility of this being made the basis of a party struggle, and that, under certain circumstances, these matters may degenerate into party strife. Every objection to a metropolitan control, which you admit is inherent in the existing system, will be aggravated by the present scheme. I do not, indeed, find fault with the scheme on the grounds which have been stated, and ably stated, by my hon. Friend the Member for Dorsetshire (Mr. Bankes); I have always believed that the power of the Crown has diminished, is diminishing, and ought to be increased; and, therefore, any increase in the patronage of the Crown is a proposition I would never oppose. I am sure that it will be better for the working classes of this country; and, therefore, I am surprised that the hon. Member for Finsbury should have favoured the sentiment with a cheer so incredulous. I believe it to be historically true that the amount of taxation and the reduction of popular privileges have borne a proportion to the decreased power of the Crown. But I will content myself with saying, as it regards the Bill now before us, that I do not object to it because of its supposed tendency—which I do not think it will have — to increase the power of the Crown. As this is not a party question at present, I hope hon. Gentlemen, before they give their votes, will consider this matter well. I object to that system which makes the parochial constitution of this country a part of its Parliamentary constitution. I am certain that as long as you have a local administration, subject to that wise control which in every county you can establish, you will have the affairs of the poor administered in a manner more satisfactory to the multitude than by any other system. I am equally certain the moment you have a responsible Minister in this House, and have every detail brought before you, that all that time which is now devoted to the consideration of railroads, and what is called private business, will be nothing compared to the time which will be occupied on the administration of the Poor Law, when you have changed the Members of the House of Commons into a board of poor-law guardians. That is my objection to this law; a quarter of an hour has not yet elapsed, and I have stated it. There is only one other topic which I am bound to treat, and which I shall treat very lightly. It is exactly that topic which I could wish to have avoided; for it has nothing to do with the question before us. Why it has been brought into the discussion, it is not for me to inquire. Nobody, however, who has spoken during this debate has avoided the subject of the Andover Union Committee. Having been a member of that Committee, and having been personally alluded to in the course of the discussion, I wish to make one observation upon that subject. The noble Lord vindicated, not at too great length, but with the ability which distinguishes him, the Poor Law Commissioners, with reference to the result of the labours of the Andover Union Committee. Now, that Committee, as many Gentlemen know too well, lasted for a considerable time; I believe they continued their labours for nearly four months. The Committee included every section of opinion. There were supporters of the Poor Law; and there were opposers of the principles of the law, like the hon. Gentleman the Member for Knaresborough; there were also opposers of the system of administration of the law, like myself; and there were Members of the late Government, and some learned Gentlemen who did full justice to the case of their clients. But I am bound to say that, various as the Members were in opinion, and strong as they felt in

different ways upon the subject before them, I believe every member of that Committee was satisfied with the perfect fairness of the conduct of the noble Chairman; and I believe also that every body will admit that even the result of that investigation was highly beneficial to the public. But the noble Lord (Lord J. Russell) vindicates the Commissioners, and, treating our labours in a manner not at all disagreeable to any member of the Committee, the noble Lord says, "I cannot listen to these imputations, when I find an important officer of the Commissioners subterraneously working against his principals, and doing everything he possibly can to obtain public opinion in his favour upon the subject. When I find such an official acting in an underhand manner, with a view of creating and fostering public opinion against his principals, I am not at all surprised at the prejudices that have been excited against the Poor Law Commissioners." These were somewhat like the words of the noble Lord, and I think there is a great deal in what the noble Lord said. I think it is hard that the Commissioners should have had their principal officer acting in this underhand manner; but, at the same time, I think the noble Lord should have some consideration for plain men like myself, who, serving on that Committee, with sheets of foolscap and pens placed before us, and taking notes, and endeavouring to the best of our ability to form an accurate opinion upon the evidence that was presented to us—I think some consideration was due to us when this official, whose conduct has been designated by the noble Lord to-night as unfair and underhanded, came before us and sought to pervert that evidence and poison the very fountains of justice. But let me ask the noble Lord, is Mr. Chadwick Secretary to the Poor Law Commissioners at this moment? The noble Lord nods assent; but I cannot believe it. Though the noble Lord is himself the mirror of chivalry, it is impossible for me to believe that this monster in human form—this man who has perverted all the evidence, and who has given a tortuous interpretation to it—I cannot believe that this fountain and origin of all this evil is absolutely the Secretary to the Poor Law Commissioners at this moment. I heard that gentleman described before the Committee of which I was a member, by the very best of evidence — by a gentleman who had been the principal Poor Law Commissioner, and who is, even in this age of anti-aristocratic notions of hereditary succession, father to a principal Poor Law Commissioner—I heard that gentleman tell us that Mr. Chadwick was the most dangerous individual he was ever brought in contact with — that he was the most unscrupulous of men. And yet I am told, after having heard the Secretary of the Poor Law Commissioners thus denounced by one who had been the Chief Commissioner, and who is the father of one of the chief Commissioners — after having heard this man denounced by Sir Frankland Lewis as the most dangerous and unscrupulous of men, and after having heard him to-night described by the Prime Minister as the real cause of all this mischief — as the man probably but for whom we never might have had the Andover Union Committee, and probably also never have had this Bill, which the hon. and learned Member for Dorsetshire deems so unconstitutional — after all this, I yet am told that he is still the Secretary to the Poor Law Commissioners! I ask the noble Lord of what secret of state is Mr. Chadwick the depository, that he has this mighty power? Why, Sir, if the noble Lord had said, "I know the prejudices that exist against the Secretary to the Poor Law Commissioners; I know it has been said even by a late Chief Commissioner of the Poor Law, that he was the most dangerous and unscrupulous of individuals; but such is my confidence in him, so convinced am I that he has done his duty, so highly do I appreciate the services of this man, that I will meet any danger and odium, even on the eve of a dissolution of Parliament, rather than abandon him." If the noble Lord had done this, I, for one, would have risen and said, "I admire the Minister and the man who is so honest and so brave, and who will not desert his convictions or abandon an officer under him whom he believes to have done his duty." But the noble Lord comes forward, and is ready to be a martyr for the man whom he denounces. He tells you, "I cannot defend the Poor Law Commissioners, though I believe them to be innocent. They are the scapegoat of circumstances; they are my offering to public indignation; I am obliged to make a new Minister of State with two Secretaries; I am obliged to change and revolutionize the whole of this favourite system of central administration in consequence of the underhand proceedings — of the too

successful Machiavelian calumnies—of the Commissioners' own Secretary." The consequence is, that Mr. Chadwick remains the Secretary of the Poor Law Commissioners to this moment. Now, I am quite willing to admit that Mr. Chadwick is a man of ability. His productions are of great public use. His work upon the sanitary state of the country we all recognise the value of; but the most curious thing is that the only place where he appears to have been least industrious was in his own office — the secret recesses of his own cabinet. Let us remember, when we are called upon to deliberate upon this subject, the circumstances under which the Committee acted. When charges are made against the Andover Union Committee, I am bound to remind the House of the circumstances under which we deliberated, and the circumstances to which the Prime Minister referred as those under which he brought forward this measure. The hon. Member for Petersfield has put a copy of the resolution into my hand, which was passed by the Committee. I should not have referred to this circumstance if the noble Lord had not made a personal reference to myself. I will mention the terms of the resolution which I myself moved in the Committee :—

"*Resolved*—That the proceedings of the Poor Law Commissioners towards Mr. Parker and Mr. Day were irregular and arbitrary, not in accordance with the statute under which they acted, and calculated to shake public confidence in the administration of the law."

That was the resolution I proposed, and it was carried by a large majority. It has been said, that the resolution was brought forward without sufficient thought, and carried under feelings of excitement. I do not think it necessary for me to defend the first proposition, "that the proceedings were irregular and arbitrary." The irregularity refers to a point of fact, and the arbitrary character of those proceedings depends upon the judgment of the country. But it is a remarkable truth that not any one Gentleman who has spoken upon the subject has contended that the proceedings were not irregular and arbitrary. Taking the case of Mr. Day particularly, they thought the proceedings arbitrary. But the noble Lord, our chairman, for whose opinion I have great deference, and for whose opinion the Committee justly had every respect, could not agree to this part of the resolution—that their conduct was not in accordance with the statute under which they were appointed to act. It is only necessary to indicate the grounds on which that part of the resolution was proposed. I found by that statute that the Commissioners were bound to keep a record of their proceedings. I found it was their duty to put on record every letter they received, and every answer they sent. They were bound, also, to enter a variety of details on their minutes in regard to the business of the board. The evidence laid daily before the Committee proved that they had not kept a record of those proceedings, that they had not transacted their business in accordance with the terms of the statute, but that a single individual, sitting in his private room, had assumed to act as the board, and had given it out that the board had been duly convoked, whereas he was merely scribbling memoranda at his own desk. Was I not then justified in proposing the second part of the resolution? What was the third part? That their conduct was such as to shake public confidence in the administration of the Poor Law. Is it necessary for me to bring any evidence upon that point? Here is my evidence—here is the present Bill of Her Majesty's Government. Is it not brought forward, as the language of the noble Lord at the head of Her Majesty's Government would lead us to infer, in consequence of the Andover Committee? Is it so? If their conduct has not been such as to shake public confidence, why change the mode of administration?—why make the confession made by the noble Lord early in the Session, and repeated to-night? The resolution which the Committee agreed to then was not an intemperate but a moderate resolution, founded upon facts, adopted upon weighing the evidence, and after summing up the result of our deliberations. No man could read the evidence or proceedings without arriving at the same opinion; as is proved by the fact that no one has, but by loose assertion, challenged the accuracy of those conclusions and the justice of that result. I ought to say one word of one gentleman. Why, I would say as to that one individual, that I believe he has no Friend in the House except myself; and no man ever had his name brought forward in so unnecessary and wanton a manner. The noble Lord has misunderstood the position in which that Gentleman was placed. Before I was Member for Shrewsbury, I had the honour of knowing

Mr. Day. I knew him as a gentleman who was an excellent scholar, and who had no fault but that of being a Whig. The noble Lord seemed to speak as if an assistant commissioner was to look on his appointment as only giving him an opportunity of summer travel for the benefit of his country, and as if he was not to be surprised if his services were no longer required. The noble Lord did not seem to think an assistant poor-law commissioner should hold office *de bene merito*. [Lord J. RUSSELL: I said he had not a freehold in his office.] No, nor a Prime Minister has no freehold in his office; but he is not dismissed without reason assigned. All that Mr. Day ever complained of was, that he was dismissed without reason assigned, and that he was dismissed not in a public or in an official manner. Mr. Day was a country gentleman, a county magistrate, living on a moderate estate, though with a large family. He published a pamphlet before a reform of the Poor Laws was contemplated by the Government. He reformed his own parish upon the principle of the Act of Elizabeth. It became a model parish. He described it so admirably that, having no influence, having no single friend in public life, having no Parliamentary support, but publishing a pamphlet — which seems the last desperate effort a man can make, for every one who publishes a pamphlet must do so with the consciousness that no man will ever read it—he was recommended to the Government of the day, which to its own credit was then looking out for men of abilities who, to use the fashionable phrase, could "carry out" the measure. His pamphlet was read, and the country gentleman sent for. On his appointment he broke up his establishment; he became a most zealous officer; and in consequence of his abilities he was sent to that part of the United Kingdom which was stated to be incapable of reform, namely, South Wales. He reformed South Wales, and became consequently unpopular. In the course of his labours he broke his leg. He was three months confined to his house; and when he wrote stating, that notwithstanding a compound fracture, he was willing to discharge his duties as before, he received a letter recommending him, as a friend, to send in his resignation! That is the history of Mr. Day, who, I must remind the House, brought us credentials from all the boards of guardians with which he had been connected, expressing their regret and condolence. I shall state in one word the ground on which I shall give my vote. If I look to this Bill merely for the purpose of comparing the plan it proposes with the present system, I am not disposed to say it is not an improvement. It may or it may not be so. I give the Government credit for having fully weighed the subject, with a view to improvement. In a vicious system this may be an improvement. For that reason, I might myself be inclined to vote for the second reading. I am, also, disinclined to vote against a measure brought forward by Her Majesty's Ministers, because I am generally inclined to give my support to the present Ministers of the Crown. But is not this, in truth, a Bill intended to perpetuate that system of metropolitan control, which I believe to be so fatal—which has been characterized by such maladministration —which has created so much discontent throughout the country? It would perpetuate, by reconstructing, that system which I reprobate; and for that reason I feel it to be my duty to support the Amendment of the hon. Gentleman.

MR. BORTHWICK then moved the adjournment of the debate.

LORD J. RUSSELL had hoped that after three nights' debate, the House might have finished the discussion that night.

MR. FERRAND could not imagine how the noble Lord could expect the House to follow the course he proposed after his extraordinary speech. It might be the wish of Her Majesty's Government to put a stop to the debate. ["Oh, oh!"] Hon. Gentlemen might might cry "Oh, oh;" he heard them from the benches behind Her Majesty's Ministers; but he thought it his duty to have the question fully discussed; and he, for one, would throw every impediment in the way. The noble Lord had alleged that many of the statements he made on Monday were unfounded, and more particularly as to the labourers from the south going into the manufacturing districts. The noble Lord was, he considered, bound in honour to show that his statements were unfounded, instead of making a sweeping charge; and he asked the noble Lord now, as a Member of that House, to stand up in his place and that instant tell him what statement he had made which was unfounded? He would tell the right hon. Gentlemen opposite that his character was as dear to him as their characters were to

them, and he thought he had a right to require the noble Lord to say in what way he had made any charges that were unfounded.

Mr. VILLIERS said, he would tell the hon. Member some unfounded charges he had made. One was, that the Poor Law Commissioners had made an arrangement by which it was said that they had bought men in the agricultural districts, and sold them in the manufacturing districts. That was one unfounded statement. Another was that the Poor Law Commissioners had put masters into workhouses who had murdered children. These were two of those statements, and there were many others of a similar character; and when the hon. Member talked of its being impossible to answer him, he thought he need not take the trouble to deny such statements as these.

Lord J. RUSSELL said, the statements which the hon. Member for Wolverhampton had just alluded to were part of the statements made by the hon. Member for Knaresborough which he had considered to be unfounded statements. His belief was that the Poor Law Commissioners, knowing that there were labourers in some of the agricultural counties who received very low wages—not more than 7*s.* a week, for themselves and their families—and knowing that, at that time, very much larger wages were given, both to adults and to children, in the manufacturing towns, they thought it would be a benefit to the agricultural labourers that they should be informed of what were the wages in the manufacturing towns, and for that purpose they were informed, and they gave labourers the option of going there; and then the hon. Member for Knaresborough said they had been bought and sold, and treated like slaves, and turned out of the agricultural districts. When the hon. Member said he (Lord J. Russell) had attacked his character, he assured him that he had made no attack upon his character, and it was for the hon. Member to make what statements he pleased; but when he made statements so marked with passion and exaggeration as that the Poor Law Commissioners were such monsters that they took pleasure in the murdering of children, he did not think he went too far when he said that such statements were unfounded.

Mr. FERRAND, in explanation, observed, that the hon. Member for Wolverhampton had said, that he (Mr. Ferrand) had declared in his speech that masters of workhouses had murdered children. Such an expression had never come from his lips. The noble Lord had stated, that he (Mr. Ferrand) had said that it was the Poor Law Commissioners who had murdered children. [Lord J. Russell: I said delighted in the murder of children.] He begged pardon. The noble Lord had charged him with saying that the Poor Law Commissioners murdered children — that was the expression which came from the noble Lord's lips. ["No, no!"] Well, "delighted in the murder of children." That expression had never come from his lips. He could tell the noble Lord what he did say. He had said that certain cotton spinners in Lancashire had been in correspondence with the Poor Law Commissioners, which he had read, and in which it was proposed that agricultural labourers in the south should be sent down to the manufacturing districts, there to be "absorbed" — that was the word used. He had repeated that statement on Monday night; and he could—and if the noble Lord desired it, he would—produce a Parliamentary document that would prove the fact.

Debate adjourned.

THE PASSENGERS' ACT AMENDMENT BILL.

House in Committee on the Passengers' Act Amendment Bill.

Lord G. BENTINCK said, that he had been requested by the shipping interest of Liverpool to propose some Amendments, the nature of which he would briefly explain to the Committee. The first Amendment was rendered necessary by a difference which prevailed in the mode of registering tonnage in Great Britain and America. A vessel registered at 800 tons here would be registered at only 610 tons in the United States; and, therefore, if she were to carry out passengers in proportion to her British-rendered tonnage, she would be liable to fine, and, it might be, to confiscation, according to the laws of America. The object of the first Amendment, therefore, was to assimilate the principle of registering in both countries. By his second Amendment, he proposed that fourteen feet should be allowed for each passenger, instead of ten feet, proposed by the Bill. By the American law, a child of fourteen years of age was counted as one passenger; but the Bill before the Committee proposed that two children of that age should count

for one passenger. That was hardly fair; and his third Amendment proposed that two children of eight years old should count as a passenger. His fourth Amendment provided that emigrant vessels should be surveyed by Government officers, and not be allowed to sail unless they were declared seaworthy. Another Amendment made it imperative upon the owners of vessels to provide convenient ladders to enable passengers to pass to and from the hold. The last Amendment would provide, that, if a ship chartered to carry emigrants should be lost, the charterers should return to each passenger his passage money, or secure him a passage in another seaworthy ship, and also such further sum, not exceeding 5*l*., as would be compensation for loss of time. The clause was not according to the maritime code, by which, when the ship was wrecked, the sailors lost their wages. But the case of passengers and crew was wholly different. He could understand the policy of making the crew partly responsible for the safety of the ship; but the passengers could do nothing to prevent a disaster. The noble Lord then moved the several Amendments.

Mr. HAWES hoped the noble Lord would not press a portion of his Amendments; the Americans were rather hostile to emigration; but, on this side the water, he did not think it advisable to throw any additional obstacles in the way of it; he opposed the first Amendment, because it would restrict unnecessarily the number of passengers. As to the Amendment referring to the survey of ships to ascertain their seaworthiness, the object was better and more practically secured by the clause itself. With respect to the last and principal Amendment of the noble Lord, he approved of it, and would not offer it any opposition. It was the intention of the Government, in the next Session of Parliament, to introduce a consolidated Act on this subject; and he, therefore, hoped that under the circumstances the noble Lord would consent to let the Bill proceed now, and take the discussion on the clause which he had proposed when the report was brought up.

Lord G. BENTINCK would give way on the minor Amendments, but when the report was brought up he would again move the clause with respect to the survey. In the then state of the House he would not press it.

Bill went through Committee. To be reported.

House resumed, and adjourned at Two o'clock.

HOUSE OF COMMONS,

Friday, May 21, 1847.

Minutes.] Public Bills.—1° Lincoln's Inn Rating; Seduction and Prostitution Suppression; Burgh Police (Scotland); Out-Pensioners (Chelsea and Greenwich); Railways (No. 2); Trust Money Investment (Ireland).

2° Poor Laws Administration.

Reported.—Passengers' Act Amendment.

Petitions Presented. By Mr. Henry Berkeley, from Bristol, for Alteration of the Law of the Registration of Voters.—By Mr. C. Howard, from the Counties of Cumberland and Westmoreland, for Alteration of the Law respecting Church Leases.—By Sir R. H. Inglis, from Leigh, against the Roman Catholic Bill.—By Mr. Bowes and Viscount Ingestre, from Owners and Occupiers of Land in the Counties of Durham and Stafford, in favour of the Agricultural Tenant-Right Bill.—By Sir R. H. Inglis, from several places, for Regulating the Qualification of Chemists and Druggists.—By Mr. Ferrand, from John Dawson, of Moreton Banks, Bingley, for Inquiry respecting Mary Dawson.—By Mr. W. Wynn, from Llangynog, against the proposed Plan of Education.

LAW OF MARRIAGE—ANSWER TO ADDRESS.

Lord MARCUS HILL appeared at the bar, and said: Mr. Speaker, in obedience to the commands of this hon. House, I have had the honour of presenting to Her Majesty the Address of this hon. House, to which Her Majesty has been graciously pleased to give this most gracious Answer:—

"I have received your Address relating to the Law of Marriage. My consideration shall be given to the subject to which your Address refers."

BANKRUPTCY AND INSOLVENCY.

Mr. BOUVERIE: Last Session he had charge of a very important Bill relating to the law of bankruptcy and insolvency, the object of which was to remedy some of the evils of the present law which were loudly complained of by the trading community. He withdrew that Bill on the understanding that the Government contemplated introducing some measure on the subject during this Session of Parliament, and he understood that a Bill for the amendment of the law had been introduced in the other House. He wished to ask the right hon. Baronet (Sir G. Grey) at what stage that Bill had arrived, and whether there was any reasonable prospect that it would receive the sanction of Parliament during the present Session?

Sir G. GREY replied that, in accordance with the intention he had expressed on the part of the Government during the

last Session, the subject to which the hon. Member referred had received the attentive consideration of the Lord Chancellor; and a Bill had been introduced by that noble and learned Lord in the other House, which he (Sir G. Grey) understood was to be referred to a Select Committee immediately after the Whitsuntide holidays.

DISTILLING FROM SUGAR.

MR. BARKLY reminded the right hon. Gentleman the Chancellor of the Exchequer that he had stated to the hon. Member for Inverness-shire that it was the intention of the Excise to give all possible facilities for the use of sugar in distilleries. He understood, however, that it was not in the power of the Excise to afford such facilities as distillers required. By the present law, a period of six weeks must elapse from the discontinuance of distilling from grain to the commencement of distilling from sugar. He wished to ask the Chancellor of the Exchequer—"What are the additional facilities which he intends to give for the use of sugar in distilleries, and whether it is his intention to propose during the present Session the repeal of so much of the Act of 6 Geo. IV., c. 80, as forbids all attempts to distil sugar in combination with grain, or checks the use of sugar in existing distilleries, more especially of the 44th Clause of that Act, which prohibits distillation at the same time from sugar and grain; the 45th Clause, which requires six days' notice to be given by the distiller of his intention to use sugar; and the 46th Clause, which requires an interval of one month between distilling grain and sugar, or sugar and grain separately."

The CHANCELLOR OF THE EXCHEQUER observed, that the hon. Gentleman was correct in stating that he had said, on a former evening, that it was not the intention of the Government to bring in any measure for prohibiting the use of grain in distilleries. He could only give the same answer to the inquiry of the hon. Gentleman which he had before given to a question on the same subject from the hon. Member for Montrose (Mr. Hume). What he (the Chancellor of the Exchequer) undertook to do was to give every facility consistent with the existing law for the use of sugar in distillation. The Chairman of the Board of Excise had stated to a deputation from the distillers, who had waited upon him on this subject, that he would be happy to afford them any facilities consistent with the law which they could point out to him. Beyond this he (the Chancellor of the Exchequer) could not go, because, in the present state of the expenditure of the country, he felt it his paramount duty to keep up the revenue. He might state, in reply to the questions which the hon. Member for Leominster (Mr. Barkly) had placed upon the Notice Paper, that it was not his intention to propose to repeal any portion of the Act of Parliament which forbade distillation from sugar in combination with grain. The hon. Gentleman was entirely mistaken in the statement he had made with regard to the period which was required to elapse between the use of grain and sugar in distilleries. All that was necessary was that such an interval should elapse between distillation from sugar and grain as should allow the wort made from the one to be cleared off the premises before distillation from the other was commenced. The hon. Gentleman seemed to suppose that under the existing law the permission to distil from sugar was perfectly nugatory. He could assure the hon. Gentleman this was not the case, for there were three large distilleries in Dublin, Glasgow, and London, where distillation from sugar was now extensively carried on.

THE IRISH FRANCHISE.

MR. STAFFORD O'BRIEN asked the Solicitor General for Ireland, whether the fact of having received relief under the Poor Law Act since the registering disfranchised the voter?

MR. MONAHAN observed, that nothing was more difficult to answer than questions respecting electoral qualifications, as, formerly, Committees in that House—not being bound by precedent—gave the most conflicting decisions on the same points. Before the passing of the English Reform Act, some doubt existed as to whether persons receiving relief were disfranchised as electors in England; but he rather thought that if a man retained a *bonâ fide* freehold he was not disfranchised from voting because of receiving relief. In the English Reform Act, a distinction was taken between county and borough voters in this respect, for that Act expressly enacted, that no person should be entitled to register as a voter in a city or borough who should have received relief within twelve months previously to the registration; while there was no such enactment in the Act with respect to counties. In regard to Ireland, it had never been de-

cided that the fact of a voter receiving relief disfranchised him; and this might be accounted for by the circumstance of there having been no Poor Law in Ireland. However, there were general charities of a certain description, and the receipt of relief from them had never been considered sufficient to disfranchise a voter in Ireland. Therefore, as to county constituencies, it was perfectly clear that the fact of a person receiving relief did not disfranchise him, if he retained a *bonâ fide* freehold; and with respect to borough constituencies, there was no provision in the Irish Reform Act which disfranchised a voter for receiving relief.

RELIEF FOR THE IRISH.

The CHANCELLOR OF THE EXCHEQUER said, he had formerly taken a vote of 300,000*l.* as an advance by way of loan, on the security of the rates in Ireland, in aid of the system of relief to be substituted for the relief works; and he proposed on Friday next to go into Committee, for the purpose of taking a further sum for the same purpose.

LORD G. BENTINCK trusted, in reference to the proposed vote of 300,000*l.* for the relief works in Ireland, that his right hon. Friend would at an early day be able to hold out to the country some prospect of the diminution of the enormous staff maintained in Ireland for the purpose of directing the relief works. Whilst the number of workmen employed on those works had been reduced from 700,000 to about 240,000, the expense of the staff still continued at the rate of between 16,000*l.* and 17,000*l.* a week, amounting to something like 900,000*l.* a year; of which about a quarter of a million was charged exclusively to the Government, and was to be paid, of course, out of the finances of this country. He hoped, therefore, that his right hon. Friend, on Friday next, would be in a condition to acquaint the House with his intention of reducing, at an early period, the force of the staff to something like a proportion with the reduction of the workmen.

The CHANCELLOR OF THE EXCHEQUER said, that the observation of the noble Lord might give rise to a false impression, unless corrected. He (the Chancellor of the Exchequer) had not stated that he intended to propose a vote of 300,000*l.* to be applicable to public works in Ireland. He had said that in March last the House had voted 300,000*l.*, in order to be advanced by way of loan for the Relief Commission, on the security of the rates in aid of the system of relief substituted for the relief works, and that he intended to ask for the vote of a further sum for the same purpose. The noble Lord, by his observations, seemed to imply that the public works were to be continued, and that the vote was to be applicable to them. In that, the noble Lord was mistaken. With regard to the reduction of the staff which the noble Lord desired to see, it would give him pleasure to find the gentry and inhabitants of Ireland exerting themselves in carrying out the new system, so as to enable the Government to dispense with the officers now employed.

MR. HENLEY asked, whether the Chancellor of the Exchequer would have any objection, after the recess, to lay on the Table an account specifying how many of these persons receiving 17,000*l.* a week, and whose number he held out no hope of immediately reducing, might be Parliamentary electors?

The CHANCELLOR OF THE EXCHEQUER did not quite understand the object of the hon. Gentleman. The greater part of the persons alluded to were military officers, sent over from this country. [An Hon. MEMBER: But the overseers?] With regard to the overseers, if the question referred to them, their employment would cease when the works ceased. In point of fact, a great number of them were already discharged. No doubt a certain portion of these overseers, who were appointed by the relief committees, and not by the Government, would be of that class to which Parliamentary electors belonged; but their employment would necessarily cease with the discontinuance of the works, and with the carrying into effect the new system. It was no fault of the Government that the previous system had not yet been discontinued; but this arose from the extreme difficulty of inducing the relief committees in different parts of Ireland so to constitute themselves as to be enabled to carry out the new system.

MR. STAFFORD O'BRIEN wished, as there might be a danger of having a pauper constituency in Ireland, to know whether it were the intention of the Government to bring in a Bill during the present Session, relative to the case of a voter in Ireland who should have received, since the registration, relief under the Poor Law Act?

The CHANCELLOR OF THE EXCHEQUER said, the attention of the Govern-

ment was directed to the subject, and if necessary the Government would take measures to clear up any doubts on the subject.

INTERVENTION WITH PORTUGAL.

Mr. HUME rose to ask a question of which he had given notice. He wanted to know whether the Government had any objection to lay before the House the instructions under which the officers in command of Her Majesty's ships of war in the Tagus had interfered in the affairs of Portugal? It would be recollected that Her Majesty's Government had so far interfered in the affairs of Portugal as to send out an accredited agent with powers to make arrangements between the belligerent parties; he alluded to Colonel Wylde. Now, he wished to know what powers and what instructions had been given to that officer. He would ask, too, whether our interference between the belligerents did not put this country to the risk of being involved in ultimate war, and whether our intervention had not been treated with insult, and had not thereby subjected this nation to uncalled-for indignity—uncalled for, because our interference appeared to be without just cause? He asked this question, because he understood from a gentleman perfectly acquainted with Portugal, that if the British Government had not interfered, the disturbance there would now have been settled in that constitutional way in which all such quarrels should be settled—by the people themselves. He would ask the Government whether they were not supporting and maintaining a bad Government by their interference?

Lord J. RUSSELL, in answer to the hon. Member, said, that, at present, the Government were not prepared to lay on the Table the instructions under which Sir W. Parker and the officers in the command of the fleet in the Tagus were acting. When the proper time came, there would be no objection to lay all the papers on the Table.

Mr. HUME gave notice that, immediately after the recess, he should bring the subject before the House, with the view of removing all doubt with respect to so important a matter.

POOR LAW ADMINISTRATION—ADJOURNED DEBATE (FOURTH NIGHT).

Mr. P. BORTHWICK, in resuming the debate on the administration of the Poor Law Bill, said, that in the Committee upon the Poor Law of 1834 he had moved four resolutions, which would have materially altered the principles and objects of that law; and as the present Bill contained the main elements of the law as it had then been passed, he felt bound to record his vote in favour of the Amendment. Although the various portions of the Bill had been discussed with much ability, yet the debate had dragged its slow length along, four attempts having been made to count it out. On a former night he had been about to address the House, but refrained from doing so, as he observed the hon. and learned Member for Bath, whose attention he wished to engage, stretched in calm repose behind the Speaker's chair. At one end of the Treasury bench was the hon. Secretary to the Admiralty, also in profound repose, and the hon. representative of the Ordnance Department had followed the example of his hon. Friend. Between the two were a drowsy Ministry, in the centre of whom sat the right hon. the Secretary for the Home Department, contemplating with wistful gaze the hon. Member for Bath, and evidently remembering, with some intention of following, the excellent advice of the Irish poet:—

"While the lovely are sleeping,
Go, sleep thou with them."

The hon. and learned Member for Bath had attributed much of the opposition to the New Poor Law to hypocrisy, and a desire for illegitimate popularity. Might not men have the misfortune to differ with the hon. and learned Member for Bath without being hypocrites or hunters after popularity? There could not be the slightest idea of popularity-hunting entering into the minds of those who opposed that law, for those whom they attempted to serve were the poor, who did not return Members to Parliament. The hon. and learned Member for Bath told the House, that the hon. Member for Knaresborough, who quoted Vattel and Puffendorff, had never read them, and that he (Mr. Roebuck) believed in his conscience—though certainly to talk about his "conscience," after the assertions he had made, was somewhat of a heavy draught upon the credulity of the House—that the hon. Member did not know whether Grotius lived in the time of George III. or of the Emperor Adrian. But, even supposing, by a difficult stretch of imagination, that the superior merit of the hon. and learned Member for Bath was as great as he wished the House to believe, and that he was familiar with the

writings of Grotius, knew every line of Puffendorff, besides being acquainted with the other learned work to which he referred—Mrs. Trollope's novel of *Jessie Phillips*, did it not leave the question before the House precisely where it stood before? The hon. and learned Member for Bath did not pretend to say that the quotations were wrong; and anybody could cry out to an antagonist, "Oh, you don't understand the subject." He (Mr. Borthwick) would therefore put aside all this rhetoric; and, though he was warned, when he endeavoured to set the hon. and learned Member right on a matter of fact, that "fools rushed in where angels"—like himself—"feared to tread," he (Mr. Borthwick) would venture to prove himself that "fool," by plunging *in medias res* where certainly the hon. and learned Gentleman had "feared to tread;" for though he tripped around the question "upon light fantastic toe" in every direction, he carefully avoided treading upon its merits; and, while assuming to be an "angel," he failed at all events to follow the example of the archangel, for his speech abounded with "railing accusation." The learned Gentleman sneered at the phrase "the inalienable right of the poor to relief," assuming that the right had only been created by the Act of Elizabeth. But this assumption was grossly erroneous; for the right had been acknowledged from the earliest times, and was laid down clearly in the Book of Leviticus. Nay, its enunciation in the law of this country was to be found earlier than the Act of Elizabeth; for some centuries previously the law had been struggling towards that consummation, and this right had been declared in several previous statutes. The right was recognised as the law of nature and of God, and was not established but was acknowledged by the Act of Elizabeth. The learned Gentleman, however, had erred as grossly in the interpretation, or rather interpolation, of the Act of Elizabeth as in its history. It was not true that the Act prescribed the rigorous in-door test in the manner represented by the learned Gentleman. There was not a hint about the workhouse system in the Act. The learned Gentleman had asserted that the Act of Elizabeth was the same in spirit and in principle as that of 1834. And the noble Lord at the head of the Government had asserted the same thing, and had affirmed that the latter Act was only introduced to remedy evils arising from the bad administration of the law, especially from the formation of the rules for relief by irresponsible authorities, and that the Act of 1834 really went back to the principle of the 43rd of Elizabeth, and made a distinction between the industrious and the indolent. The argument amounted to this, that because the old law had been badly administered, therefore the stringent restrictions of the present Act were requisite. The evils previously existing were alleged to have been an arbitrary, irresponsible, and improper excess of liberality in the administration of relief. Then was it not equally unconstitutional to allow such irresponsible power in the restriction of relief? The learned Member for Bath declared the object was to distinguish between the idle and the industrious. But how did the law act? Imagine an idle and an industrious labourer applying for relief. Both receive the same reply, "Go to the workhouse." The difference between the two cases, however, was or might be, that the latter had been a deserving labourer, was married, and was becoming old through hard work; whereas the former had always been an idle dissolute vagabond, and had never been married, but had added to the rolls of the wretched, or had deserted a mother or a wife, yet no distinction was to be made in the treatment of these men. Both were equally told to "go to the workhouse." No matter that the industrious man had a wife and family, they must be separated. No matter that they had a few old articles of furniture, they must be sold. Was the answer that which under the law of Elizabeth would have been indiscriminately made in both of two such cases? No. The answer under the old law would have been in the case of the sturdy vagrant, "You shall be imprisoned as a vagabond;" but the other, "If you have a cottage, you shall not leave it; if you have not, the law provides a cottage for you." This might be contradicted; but it was clearly enacted by the 31st of Elizabeth, which excepted from the suppression of cottages on the common such as were erected by industrious poor people under the sanction of the churchwardens. What then became of the argument of the learned Member for Bath, who at every sentence tried to show his learning, and of whose speech it might be said, not only —as Mr. Sheridan said of a far mightier speech—that it "contained much that was new and much that was true; and that what was new was not true, and that what was true was not new;" but it might be

added, that there was much in it neither new nor true, as, for instance, about the separation of soldiers and sailors from their families; for not only was that grossly fallacious, seeing that the separation in those cases, when it occurred, was voluntary, but the argument had originally been urged by the Duke of Wellington; and so the learned Gentleman's boasted argument amounted only to this—"Thus said the Duke." It had been said that the new Poor Law Act only afforded a central control over a local administration of the law. Unhappily, however, this was far from the truth; for they assumed that this local authority was only subject to central supervision, whereas the fact was that the central authority superseded the local authorities and administered the local law. Could it be denied that the central Commissioner had power to make rules to govern the local authorities? Here lay the whole fallacy of the argument in favour of the present law. The objection to the law was, that it took the poor man's undeniable right to relief out of the pale of constitutional authority, and confided it to the arbitrary and absolute control of an irresponsible central body. It was idle to complain of different sets of Commissioners. The law itself was pernicious in principle, and necessarily unjust in its operation. Yet the poor were characterized by as much or more of the elements of a noble character than other classes who considered themselves superior to them, and had a sterner aversion to those "daintier" vices which the poor blushed to mention, but which the rich did not blush to practise. Why, the injuries inflicted on the negroes under the system of slavery were not equal to the injustice inflicted on the poor in this country, despite all the accusations of exaggerations directed against hon. Members who advocated their interests by the hon. and learned Member for Bath, who was so fond of assuming the tone of "I am Sir Oracle, and when I open my mouth let no dog bark." Without entering further into these topics, he would say, that he objected to the Bill before the House, because it did not obviate the objections he entertained to the existing law. The hon. Member then observed, that it was not so much the fault of those who had to administer the law as it was of the law itself that what had taken place had occurred; and, for that reason, he should feel it to be his duty, when the Bill should be in Committee, to propose the substitution of three for five years as the limit of the duration of the new Commission. He was convinced that, even under its new machinery — which he was ready to admit was preferable to the old—the law itself would still show its inherent faults and imperfections—its direct antagonism to the best interests of the poor; and that, no matter how honest might be the labourer, he would still be liable to be treated, under such a system, with that undistinguishing severity with which they treated the vagabond and the profligate—a class for which the law of Elizabeth provided a separate punishment. He had endeavoured to show—and he thought he had succeeded in showing—that it was a very erroneous representation of the fact to say that there was any unity of principle between the law of Elizabeth and the law of 1834; but he thought the noble Lord (Lord J. Russell) would confer on this country a great boon if he would leave in full force the principle of local administration, and if he would appoint a board—central, if they pleased; he cared not whether sitting in Somerset House or in Parliament—not to create rules and regulations to show the force of the law, but to supervise it, and to take care that there should be in force the principles of a statute law, applicable to every county and to every parish in England. The hon. Member concluded by stating that he had been desirous of explaining to the House, as well as to those who sent him there, the reasons why his opinions upon this question were still unchanged, and why he could not give a vote in favour of the Bill of the noble Lord.

Mr. MILES thought the debate had been unnecessarily protracted by the interpolation of extrinsic subjects. The Bill related to the controlling power under which the Poor Law was to be administered. That controlling power might be placed either in the local magistrates, in the present Commission, or in such an authority as the present Bill proposed to constitute. He thought hon. Members would generally agree in deprecating the restoration of the controlling power to the local magistrates; and he was astonished after the speech of the noble Lord the previous night, that the noble Lord should have thought of superseding the existing Commission; for it was a speech in defence of that Commission, and against the unjustifiable, as he thought it, interposition of its own Secretary. It was not difficult to understand how the Commission had come to be looked on with unfavourable eyes. It was provided by the

Act of 1834 that scarcely anything should be done by the power of a single Commissioner. But their habit of acting as individuals, instead of as a Board, was a sufficient reason why the country placed no confidence in the Commission. A Secretary of State for the Home Department had repeatedly been seen going to a Poor Law Commissioner seated under the gallery to get information as to particular cases brought under the notice of the House; but such was not the proper office of a Secretary of State; and the question for consideration was, whether such a Board as that now proposed would meet with general approbation? For himself he had no hesitation in expressing his preference for the Board as it was proposed to constitute it under this measure. He understood from the speech of the noble Lord the First Minister of the Crown last night that he was by no means wedded to the constitution of the Board as proposed by the present Bill, and that he was quite willing to listen to any suggestions for its improvement. Now, considering the feeling which existed throughout the country, that the rules and regulations for the administration of the Poor Law should be placed on the Statute-book, instead of being made by what was called an irresponsible Board, he thought it would be better that the Commission should be done away with, and the central power vested solely in the hands of a President and one Secretary, who should both be eligible to seats in that House, and whose duty should be to see that the law was fairly carried out in the different parts of the country, and to authorize the relaxation of its provisions according to the circumstances of particular districts. It appeared to him that if this were done, the law would be administered with much more humanity, and would be looked upon with much more favour, than at present. The Minister of the Crown—for Ministers of the Crown the President and Secretary would be—would be placed in a proper situation, namely, that of defending the Act of Parliament in that House, and at the same time have the power of authorizing a milder and more merciful administration of it in particular localities where it might press with more than ordinary severity. He considered that this would be a system much better adapted to the wants and exigencies of the country than that contemplated by the present Bill. He was surprised that the hon. Member for Dorsetshire (Mr. Bankes) had declared his intention to vote against the second reading of the Bill. For his (Mr. Miles's) own part, he did not say he would support every clause of the Bill. He looked upon the Bill merely as the means to an alteration; and the question he had to consider was, whether the alteration proposed by Government was such in principle as he could accept; and this he thought he could readily do. He agreed with the hon. Member for Evesham that the poor had an inalienable right to relief; but at the same time he begged to remind that hon. Member that, reasoning by analogy from the law of Elizabeth, the able-bodied were only entitled to relief in a particular way. It was necessary to apply a test of destitution to that class of paupers; a test of destitution they had, but he was sorry to say that it was slipping little by little from under their feet. He begged to differ from the noble Lord the First Minister of the Crown, who asserted, that if the power of administering the law were left in the hands of the boards of guardians, they would act with more severity than the Commissioners. As chairman of a very large union, he must say that such was not the result of his experience, for whenever the guardians had applied to the Commissioners, it had invariably been for power to put a merciful construction upon the law rather than a hard construction. He differed also from those who would prefer intrusting the central power to some county court in place of a metropolitan Board. This would only take away the power from the Poor Law Commissioners, and place it in the hands of a small number of magistrates in each county, meeting together either specially or as a court of quarter-sessions. Now, he knew the influence which the press had upon quarter-sessions, and how ready gentlemen were to get up there and make speeches about the miseries of the poor. If the plan to which he now referred were adopted, the quarter-sessions would become a mere place of debate, and the administration of the Poor Law would be made to depend upon local prejudices and partialities.

MR. ESCOTT had listened with great attention to this debate, and he must confess he had been supremely disappointed by almost all he had heard, and particularly by the observations of the hon. Member who had just sat down. The hon. Member had said that what would satisfy himself would be the consideration of whether what was proposed would be satisfactory to the country on this question. That was the very point

which he (Mr. Escott) had endeavoured to ascertain in the progress of this debate; but he had not heard anything to convince him upon the subject, not even from the hon. Member for Somersetshire himself. Did the hon. Gentleman think that this new Commission would be more satisfactory to the country than the old one, because it put more placemen in the House of Commons? Why was it that the hon. Member supported the new Commission at all? For his own part, he confessed that it was chiefly, though not wholly, because he thought the new Commission would not be satisfactory to the country, that he was prepared to vote against it. The noble Lord at the head of the Government, in his speech of the night before, had, in his opinion, stated many and grave constitutional reasons why this new Commission would not be popular with the country. If the Bill before the House passed into a law, every Poor Law functionary, from the highest to the lowest—every petty officer—would have to be appointed by the Government, and would all be subject to the control of the existing Government of the day. That would be a serious increase of the evils of the present system of administration of the Poor Law; and he much wished that the hon. Member for Somersetshire had grappled with that evil before he had made up his mind to support the Bill, or proved that it would be a satisfactory measure in the eyes of the country. With respect to the attempts which had been made to defend the present Commissioners, let them ask this question—if they had done their duty, why was the country to have a new Commission? Why, it was because the noble Lord and the right hon. Gentleman the Secretary of State could, in reality, no longer stand by the old Commission, that a new one was to be appointed. Wherever the law had worked well, as in the case of the new union of Winchester, for instance, where the poor were contented, whilst the rates were lower, it had been because the guardians had acted in disregard of the orders of the Commissioners. But there were two points in respect of which the present Commission had wholly disappointed the expectations of the country in these trying times. The great difficulty, it would be admitted, of the administration of the present Poor Law, had been to prevent the evil of giving a working man in receipt of wages any money at all for the support of his family. It was a long time before anything was done in respect of out-door relief; but a rule was at last promulgated by the Poor Law Commission that no able-bodied man should receive relief out of the workhouse. They found, however, that it was impossible that such a rule could be invariably acted upon, and they soon issued an exception to it. The exception was, "sudden and urgent necessity." The right hon. Baronet (Sir J. Graham) declared in the House, in answer to questions put by him (Mr. Escott), that the boards of guardians were the only judges of what were cases of sudden and urgent necessity. In the west of England, where the agricultural poor were suffering from the present destruction of the potato crops, the boards of guardians gave out-door relief; and although the Commissioners did not expressly forbid it, they discouraged it in every possible way. They said it was contrary to law, and directed individual cases to be reported to them—a serious impediment—while they never noticed a single case sent to them, but left them, after all, to the boards of guardians to decide. What was the object of the workhouse test? It was to distinguish the really destitute from the idle vagabond who refused to work; but what was its operation? It was to starve the honest poor out of the House by the fear of incarceration within its walls; while the idle vagabond, who cared for nothing but filling his belly, was fattened there in idleness, until at length he came out the bloated victim of the workhouse test. That was the result he had ever found in the west of England; and he believed it was the same everywhere else. He, therefore, saw no hope of good in the continuance of that test, as it was applied by the Poor Law Commissioners. He thought, of all measures proposed this Session by the Government, this was the most delusive. He agreed with the hon. Member for Knaresborough, that the noble Lord at the head of the Government had in some degree broken faith with the country in this Bill. There had been for many years a strong expectation that the New Poor Law would be altered, and that expectation was raised to a high pitch this Session; but instead of any alteration, as far as the objectionable parts of the law were concerned, it was only a confirmation of all its oppressions. One of the reasons why the people were disappointed with this Bill was, that it left untouched the present unequal system of rating property to the relief of the poor. Was it not monstrous that large accumulations of property should

pay a mere nothing, while the weight of the burden rested on the poor farmer, who perhaps was himself ill able to pay? And when it was, as it would be ere long, proposed to levy additional rates to meet the exigencies of the times, would not the present ratepayers complain of the system, and say that if the rate were levied in an equitable way, the amount, instead of being 1*s.* 6*d.* in the pound in some instances, would be only 6*d.* in the pound on the whole? He believed, however, that the present Parliament was worn out—it could do no good; and he supposed the people must wait until a new one before they could expect justice to be done. He was surprised that the question had not been argued with respect to the present condition of the people. In the rural districts in the west of England, the population were in this afflicting position: three-fourths of their annual food had been lost in the course of the year, and the provisions which yet remained to supply them were doubled in price. It was easy to tell the ratepayers to raise the wages of their labourers; but it was the idlest of all possible exhortations. The vast majority of the ratepayers would take care to get their work done at as cheap a rate as they could; and in so doing they would be only carrying into operation a doctrine which had been inculcated again and again in that House. Such being the unhappy condition of the country, he could have wished to have seen a Poor Law introduced which was calculated to mitigate the distress under which the population was suffering, and to relieve all classes of ratepayers, by making the pressure of taxation more equitable and more even. The present Bill would not effect these desirable objects; and, regard being had to all the circumstances of the case, he felt that he would best discharge his duty to his constituents and the country by opposing it.

MR. WAKLEY: The public is greatly disappointed by the Bill which the Government has placed before the House. The people are disappointed with the provisions of the Bill as far as they are known; and I think the feeling of dissatisfaction will increase in force when the measure shall come into operation. The public looked for a measure of relief; but, instead of finding one in this Bill, I believe it will prove to be a measure of aggravation. In the circumstances of the time it is an unfortunate thing for the Government to have placed themselves in the position in which they stand in consequence of the introduction of this Bill; and it is a more unfortunate thing still for the people to find that they have no hope of relief from the grievances to which they are exposed under the existing law. I think it most unfortunate for the Government, because they are entitled to great praise for the course which they have pursued in the present Session with respect to the Poor Law for Ireland. By their conduct in that respect they have won my approbation and esteem. I value their labours greatly, and I think they are entitled to the gratitude of the English public and of the Irish people, for their exertions to secure a Poor Law for the sister country. It is therefore painful to me to be obliged to complain of the manner in which they have framed this Bill. I did expect, after all that has transpired, that a powerful mind would have applied itself to the consideration of the position in which the country is placed with reference to the Poor Law, and that a measure of relief would be introduced calculated to mitigate the sufferings to which the poor are exposed under the existing law; but I can look at this Bill only with feelings of deep disappointment. The noble Lord at the head of the Government made last night an able and a frank speech—and it is gratifying to have a Minister who will speak frankly. The noble Lord, I may observe, is never so bold as when he is exceedingly wrong. He adheres with extraordinary pertinacity to his resolutions when in error—never yielding or flinching in the least—but when he happens to be right, he often betrays symptoms of doubt and vacillation. I was pleased to hear the noble Lord address the House last night, because he showed that he has fortunately answered himself upon this great question by anticipation. I am delighted to have Lord John Russell of 1834 speaking against Lord John Russell of 1847. I choose the younger man; I take as my guide the noble Lord of the former period. The noble Lord told us, that when Lord Althorp, in 1834, proposed that a Minister of the Crown should be a Poor Law Commissioner, he was so strongly opposed to the proposition, that he used all his influence and exerted all his energies to prevent Lord Althorp from submitting it to the House. The noble Lord said it was by his influence Lord Althorp was induced not to make that proposition. The noble Lord has now yielded to sinister advice given him by some wily intriguing person, who

cannot have the interests of the public at heart, who can have no regard for the stability of the Government—some person with no regard as to the effect it must have on the Government, no care for the welfare of the poor of this country, has induced him to make the present proposition, one of the most unfortunate ever submitted to this House—one of the most unconstitutional that can possibly be conceived. Why, what is it? To unite, in reference to millions of the people of this country, both the executive and legislative functions. I ask what can be more dangerous? I further ask how the noble Lord expects it will work—I do not mean in a period of smooth-water politics, a time like this, when there is in reality no opposition, but when party strife is running high and a political tempest is raging? Why, every board of guardians will be a political engine, a political instrument set at work by designing men for sinister objects. And in the contest what will become of the poor? A more preposterous, a more unhappy project was never conceived by any Minister; I am sure it did not originate in the mind of the noble Lord. He candidly and fairly admitted last night that he was against it in 1834; but he omitted to inform us what has changed his opinion; he gave no reason for the change; we can conceive a thousand reasons why he should retain his opinion of 1834; but he has left us wholly to conjecture as to what can have produced this extraordinary mutation in his mind. I ask again, what does the noble Lord expect will be the working of this measure? Are Her Majesty's Ministers jealous of the reputation of the Poor Law Commissioners? Is it possible they can be envious of the peculiar popularity the Commissioners have acquired? Does the right hon. Baronet the Secretary of State for the Home Department expect to glory in the name of Poor Law Commissioner? We shall no longer call him Secretary of State for the Home Department; whenever I address him on the subject of the Poor Law, I shall invariably call him the Poor Law Commissioner sitting in the House of Commons. And what are the questions Her Majesty's Ministers acting as Poor Law Commissioners will have to determine? Have they thought about the matter? I really think they have not; it is my opinion the subject has not engaged the mind of the Government, but that the noble Lord has confided in the opinion of somebody not entitled to much credit; and has adopted in 1847 a proposition that was most repulsive to his constitutional mind in 1834. I say, are the Ministers aware of the questions they will have to determine? Under the old law, when they said "the matter is referred to the Commissioners" it was at an end; for the Commissioners sitting at Somerset House exercised an independent authority. Mark that! Under the existing law the authority of the Commissioners is an independent one; in the exercise of that authority, with one or two exceptions, they are not subjected to the control of the Secretary of State for the Home Department. The consequence is, the Poor Law Commissioners are made the scapegoat, not only of the boards of guardians, but of the Government; and when they are sent away into the wilderness for their own sins and those of others, if any wild beast should meet them, it would be justified in dissociating itself from them for the manner in which they have acted. But the noble Lord has told us, if a resolution were brought forward in this House condemning the Commissioners, he should oppose that resolution: the inference is obvious; he does not disapprove of their conduct; the noble Lord is prepared, for himself and his Colleages in office, to follow the example they have set them. If he does, the Government cannot stand; it is impossible; if there is an election in July, and we meet in November, there will very probably be a change in the Government in February. What are the sort of things they will have to determine in this House? Questions will be put from this side the House, ay, and from the benches behind them too, directly to the acting Poor Law Commissioners, as to a change in the diet of a certain union, whether the increased allowance recommended by a particular board of guardians shall be granted or not. One specimen of this kind of questions will be enough; and I will just quote one. It is from an official document which has been laid on the Table of the House; for it is as well that this matter should not be regarded in a speculative point of view, but that the Ministers should reduce their minds to practice, take a practical survey of it, and reflect in what position they will be placed, not only in this House, but with the constituency and the poor of the country. I will read a letter addressed, in January, 1846, to the Poor Law Commissioners, by the clerk of the Bromley union:—

"Bromley Union, Jan. 17, 1846.

"Gentlemen—I am directed by the board of guardians to inform you, that they resolved at their meeting yesterday to make the following alteration in the existing dietary of the union workhouse:—

"Wednesdays and Saturdays, for dinner, 1½ pint of soup and 4 ounces of bread, in lieu of 7 ounces of bread and 1 ounce of cheese; all classes.

"Thursdays, for children's dinner, meat pudding, in lieu of bread and cheese.

"The board of guardians request that you will sanction this arrangement.

"I subjoin a copy of a report from the medical officer of the union workhouse on this subject.—I have, &c. "Henry Nottingham,

Clerk to the Guardians.

"The Poor Law Commissioners."

A more moderate and trifling request could not have been made. The first answer, not a very prompt one, is dated the 31st of January:—

"Poor Law Commission-office,
Somerset House, Jan. 31, 1846.

"Sir—I am directed by the Poor Law Commissioners to acknowledge the receipt of your letter of the 17th inst., respecting the proposed alteration of the dietary in use in the Bromley Union Workhouse.

"The Commissioners request to be informed of the special reasons, if any, which led the board of guardians to entertain the proposal for altering the existing dietary.—I am, &c.

"E. Chadwick.

"To Henry Nottingham, Esq.
Clerk to the Guardians of the Bromley Union."

The hon. Member for Tavistock (Mr. Trelawny) cheers; he thinks it right that this trifling insignificant change should have all the grounds for it stated. Recollect that the persons who asked for this slight modification in the diet were themselves the ratepayers, and elected by the ratepayers, and, in fact, only asked the Poor Law Commissioners to allow them to expend a little more of their own money, and of those who elected them, in adding to the comfort and happiness of the poor under their charge. These are the sort of questions you are about to bring constantly into the House of Commons. I do not know how a week can pass without introducing them; I shall invite people to make applications here. I shall always be ready on any occasion to bring them forward; and it is possible under such circumstances we may bring things to a crisis, though it may not be precisely the issue we should hope to obtain. The answer of the clerk of the guardians to the letter of the Commissioners is dated the 8th of February, and is as follows:—

"Bromley Union, Feb. 8, 1846.

"Gentlemen—I am directed by the board of guardians to acknowledge the receipt of your letter of the 31st. ult., requesting to be informed of the special reasons, if any, which led the board of guardians to entertain the proposal for altering the existing dietary in the Bromley union workhouse.

"The board of guardians desire me to state, that the proposal to alter the dietary was made in the first instance by a member of the board, who gave his reasons for the alteration, and a committee was appointed to consider the proposal; that committee agreed to a report which was submitted to the board, but was negatived by them, and the resolution to alter the dietary as at first proposed confirmed.

"I am directed to forward herewith a copy of the report of the Committee on the subject.—I have, &c. "Henry Nottingham,

Clerk to the Guardians.

"The Poor Law Commissioners."

I have here the report of the committee alluded to, but it is too long to read; I will only quote one or two paragraphs, stating what the cost of the change would be:—

"The additional expense which would arise from the supply of soup twice a week at dinner, for all the paupers in the workhouse, may be roughly estimated at about 50*l.* per annum upon an average of 100 inmates; a sum which the board most certainly would not begrudge, was it likely to produce a certain and sufficient advantage, but which the committee feel should not be imposed on the ratepayers on merely speculative grounds, which have hitherto derived no support from experience.

"It will be remarked, that Mr. Smith offers no opinion on the suggestion of giving an additional meat-pudding per week to the children. Upon this point, then, the committee will make no special observation; the expense arising from it would be about 4*l.* 6*s.* 8*d.* per annum upon an average of forty children."

What was the decision of the Commissioners? A change of diet, recommended by the medical officer, is adopted by the guardians, who confirm their first resolution, though their committee report against it, and it is proved it would only cost 54*l.* 6*s.* for 140 inmates. To this application, the following is the reply of the Commissioners:—

"Poor Law Commission Office,
Somerset House, Feb. 12, 1846.

"Sir—I am directed by the Poor Law Commissioners to acknowledge the receipt of your letter of the 8th instant, on the subject of the proposed change in the dietary table of the workhouse of the Bromley Union.

"I am now to state, in reference to this matter, that the Commissioners agree in opinion with the committee of the guardians, a copy of whose report was forwarded with your letter, and consider it inexpedient to make the proposed change, always keeping in view, however, the power of making temporary alterations in the diet of the inmates, on the recommendation of the medical

officer, which is vested in the board of guardians by the workhouse rules.—I am, &c.

"E. CHADWICK, Secretary.

"To H. Nottingham, Esq., Clerk to the Guardians of the Bromley Union."

Now, will it add to the dignity of Her Majesty's Ministers to discuss questions of this kind in this House? The noble Lord shakes his head; I know what he intimates by that; he thinks his Colleagues will be so liberal, there will be no occasion for such discussions. I heard the noble Lord say something towards the close of his speech last night which very much disarmed my hostility to it; the noble Lord thinks his Colleagues will not act in this way—that, as Poor Law Commissioners sitting in this House, they will adopt a different line of policy. He said last night, relief should be liberally given: I was delighted to hear that expression. I think those who deserve relief ought to have a liberal allowance. In that case, the noble Lord thinks these discussions will not be raised here: applications made to the Commissioners sitting in this House for relief will be granted. But does the noble Lord know there are other boards of guardians who will send up a different kind of application? Some boards may act like the Andover union, and send up for leave to make a reduction in the allowance. How will the Government act between the two parties? The difficulty in which it will be placed will be utterly insurmountable—no Minister will be able to combat it. With four Cabinet Ministers, sitting as *ex-officio* Commissioners, every question will be a Government question; it must be so: whether the diet of a workhouse one day shall be gruel or soup, or on another gruel or porridge—these are questions liable to bring the Government into great disrepute. I never thought to see the Secretary of State for the Home Department take the place of a master of a workhouse. The Ministers will really become an acting committee of masters of workhouses. But in this Bromley union, what were the allowances? They were, five ounces of meat to an able-bodied man, and three ounces to an able-bodied woman. The allowance for dinner was seven ounces of bread and one ounce of cheese. Have hon. Gentlemen ever seen such quantities weighed out? Do they know what they are? I assure them they are not the "liberal" allowance spoken of by the noble Lord. What is the allowance in the House of Correction for criminals? But, I will first read the allowance in the Bromley union, the dietary which the guardians desired slightly to increase, and for which leave was finally refused by the Poor Law Commissioners; and then I will state the allowance in the House of Correction. In the Bromley union, the allowance on Sunday was, for an able-bodied man, six ounces of bread and one pint of gruel or milk porridge; for a woman, the bread was five ounces; for dinner, meat pudding sixteen ounces, for the women, ten ounces; for supper, six ounces of bread and one pint of gruel or porridge. After Sunday, not a particle of meat is given; and it is admitted in the return that the meat in the meat pudding is only five ounces. Only five ounces of meat through the entire week. On Tuesdays, sixteen ounces of suet pudding was allowed for the men, ten ounces for the women; on Fridays, the same; on other days, the dinner was seven ounces of bread and one ounce of cheese. Such is the allowance sanctioned by the Commissioners, an application to increase which was refused. Now, what have the prisoners in the House of Correction in Coldbath-fields? I do not complain of that dietary; I hope the right hon. Gentleman understands that I do not complain of it. When people are confined, whether as paupers in a workhouse, or as prisoners in a gaol, they ought to have food enough to keep them in health. In Coldbath-fields, the allowance for breakfast is one pint of cocoa—that is better than tea—and six ounces and two-thirds of bread; and there is no reduction in that quantity for women; they have the same allowance as the men, and they want it. I think it most disgraceful to make a difference in the workhouses in the allowances of men and women; and it is infinitely more disgraceful that women with an infant at the breast have no additional allowance, but receive precisely the same as others. In the House of Correction the dinner is, the same quantity of bread as at breakfast, with six ounces of meat; on Tuesday, six ounces of meat; on Thursday, six ounces of meat; on Saturday, six ounces of meat. In the House of Correction the women have twenty-four ounces of meat per week; but the poor woman who has committed no offence—who has broken no law—who has not transgressed the rules of society—she must starve on three ounces of meat per week! And the Poor Law Commissioners refused to sanction an increase in the allowance. Is the noble Lord aware of these

things? He cannot be; he could not rest under them; holding his distinguished position, with his talents and feelings, it is impossible he can be content to hear such things stated to him. Going through all the dietary, I find everything increased in the same proportion; in one the allowance is sufficient to maintain the body in health and natural vigour; by the other, whatever it did with regard to health, it must make the poor creatures wretched from always suffering the pangs of hunger. But is this politic—is it wise? Leaving the justice of the case out of the question altogether, is it wise, while thus providing for criminals, to subject innocent people who have done no wrong to this species of torture? Does the noble Lord think these are questions that ought to be agitated in this House night after night and Session after Session? Does he think his Colleagues can assume the office of Poor Law Commissioners without having them so raised? Does he think, if such a question as that from the Bromley union became a Cabinet question, and the Government refuse the application of the guardians, it could stand one month under it? Does he believe it is for the safety of the Crown that such questions should be mooted here? Will it add to the dignity and security of the Crown? Why, the whole country, when in a state of political excitement, would be convulsed from one extremity to the other by the agitation of such a question. The noble Lord will say, we can yield a little for the good of the poor. The poor are not electors, and he knew where the balance of yielding would be. It would be with the boards of guardians, and the boards of guardians in that case would rule the Government. The poor invariably being the weaker, will go to the wall. Then, what would be the feelings among the suffering population in this country? Why, they would be ready to tear this House about our ears. My conviction is, that if this Bill be carried into operation, in a very short time the indignation which will arise will endanger all our institutions. I am confident, from the nature of it, a more unconstitutional measure, or one of a more pernicious tendency, was never proposed. The noble Lord, however, may say, "If we should be weakened by the anti-popular voice, it is possible we shall be strengthened by the increased patronage it will be in our power to bestow." But is this centralisation to go on, at every step adding such enormous power to the Government? The noble Lord must be aware of the power the Poor Law Commissioners may exercise with regard to the dismissal of officers. All the clerks of the boards of guardians —all the masters of workhouses—all the matrons of workhouses—all the schoolmasters—all the medical officers—will hold these offices at the pleasure and mercy of the Government of the day. That will be the result; and I am astonished at the noble Lord, who is such a lover of our free constitution, and who has so often contested that the power of the Crown ought not to be increased, should make such a proposal. It may be all very well for the existing Government; but how would the noble Lord like the same advantage to be trusted to a Government of directly opposite principles? The noble Lord probably thinks that such a power would not now be abused; but he should look far forward, and remember that a Government may arise which might desire to abuse to the utmost extremity this enormous power. I say it is one which no Government ought to possess, and there is no reason whatever for giving it either to this Government or to the Government which may succeed. A great outcry was made the other day against the additional patronage which would be vested in the Government by the operation of the educational scheme; but this beats it all to atoms, and the noble Lord in his speech last night completely failed to show the necessity for such a measure. The noble Lord says that he is anxious for this authority; but we have had thirteen years of experience of the operation of the New Poor Law, and the noble Lord is bound to admit that when the proposition for passing that law was made, it was held out to this House and to the country that the Commission would only be of short duration. Hence it was that the proposal was made that it should last for only five years. I remember Lord Althorp's speech well. Out of doors at that time the proposal was altogether obnoxious to us; but the noble Lord distinctly intimated and stated in express terms it was only to introduce the Bill and work the law for a short time, in order to show what the operation ought to be, that the Commission was appointed. The same thing was repeated again and again in the House of Lords. And now, although it is set forth in the present Bill it is to last but for five years, it is to me perfectly evident that it is intended to be a permanent mea-

sure—that this monster Commission is intended to be permanent. Yes, if the country will bear it. It has not been fair dealing to the House—the noble Lord was a Member of that Administration, and he ought to have taken the declaration of Lord Althorp as his own. We have had this Act in operation thirteen years: cannot the new Government see if, out of the materials which have been collected, a law might not be made to do away with this central authority? Or if there is to be a central control, why put the poor in commission? Why not give the poor a judge? a man of great discretion and great learning—a judge who shall see the spirit of the law carried out, and who shall have power to make rules for the courts—call them, if you will, boards—of guardians? I do not think there would be any difficulty in forming such a law. I am not afraid of the boards of guardians. If the noble Lord has any apprehensions of those boards, why does he not reconstruct them? The noble Lord last night spoke of the Act of Elizabeth, and of the manner in which that Act had been abused by the magistrates of Berkshire, in the first instance, and afterwards by magistrates of other counties. But by the Act of 1834, what did you do with the magistrates? Why, you absolutely put them over the elected guardians. They were rewarded instead of being condemned for their misconduct. Why does not then the noble Lord reconstruct the boards of guardians? The noble Lord alluded to the manner in which vestries had acted. When did they begin to act badly? Why, long before the Act of 1834 was passed; and yet the select vestries were permitted full powers by that measure. If the noble Lord now sees a defect in the boards of guardians, he ought to propose that they be remodelled. He, of course, saw that the election of guardians had become a complete farce. There are now no meetings of the electors, no meetings of parishioners with respect to such officers; papers with blank spaces are left at the houses of the parishioners, are filled up and are generally called for by the policemen; the same names being marked, the same men remaining guardians; the farce of election is gone through, and there is nothing more. And, Sir, I maintain that all the evils of the existing law are to continue. We are merely to have that change which has been so often dwelt upon; we are merely to have a new set of men in the Commission; the Commissioners who have hitherto acted are to be dismissed; a new chief is to be appointed; he is to have for Colleagues four Ministers of State, and as many other persons as Her Majesty chooses to name, one of them being appointed. We had a three-headed monster before; now it is to be a many-headed monster. What will the poor gain by such a Commission? According to my opinion, formed after the best view I have been able to take of the subject, as little as they have gained already. The noble Lord states, that he would oppose any vote of censure upon the conduct of the Commission; therefore he approves of that conduct, and he is prepared for his Colleagues to pursue that path in which the Commission have already trod. Under the circumstances the public has great reason to complain of this Bill. I agree with the hon. and learned Gentleman who has just sat down, that public expectation has been raised high, and that it will fall exactly in the proportion in which it was elevated. Great must be the disappointment of the people at finding that there is to be no change in the Poor Law. The New Poor Law, with the exception of the slight change I have mentioned, remains precisely as it was. The huge unions, which are formed of so vast a size, in my opinion for the express purpose of preventing the poor from obtaining relief, are to continue as formerly, with all the existing arrangements, I may presume, with regard to the manner in which out-door relief is to be administered. How does the Act operate in reference to the poor man living many miles from the workhouse? He is starving; he wishes for work and cannot get it; he asks the relieving officer for relief; the relieving officer says he must apply on the board-day; on the board-day he attends the board; and when there, as it often happens, he is not admitted to the presence of the guardians. The relieving officer behind his back states the case; the board has not the candour and the manliness to call the unfortunate fellow before it; and it decides on the business without hearing him; immediately afterwards, he is told by the relieving officer that there is nothing for him, and the poor creature, broken-hearted, is sent empty away. Why, Sir, all these things will exist; and, in my opinion, if the board of guardians should receive, as they will by this Bill, the sanction of the Government, they will feel themselves strengthened in iniquity; and all these evils will be aggravated in a tenfold

form. The public, in point of fact, has gained something of late by the weakness of the Commissioners of Somerset House. They were obliged to yield under the pressure of public indignation, and that is the very thing of which the hon. and learned Member for Bath complained. He says, the Commissioners have not been sufficiently resolute in carrying out the law. The Member for Tavistock cheers. I hope he is not to be one of the new Commission. I sincerely hope that misfortune is not to fall on the poor. The hon. and learned Member for Bath complained that they had not carried out the law with adequate sternness. I am sorry the hon. and learned Member for Bath is not here, because the other night he was very free, as he often is, in charging persons with ignorance. Now, it is my conviction, that the hon. and learned Member has never in his life been in a public vestry in this country. I do not think he ever saw relief granted to the poor. I do not believe he is in the slightest degree aware of the manner in which the old law operated. That great abuses did exist I freely admit, with him, under the old system; and I do not dispute that many things were done eminently detrimental to the interests of the poor; but I do deny that such a gigantic change as that which was made was necessary. That a change was required I confess; but the one demanded was of a much more moderate character, and would have been strictly consistent with the old Act of Elizabeth. The present law is inconsistent with the principle of the law of Elizabeth, and especially inconsistent with regard to the able-bodied poor out of work. The hon. and learned Member has directed his attention only to the idler, only to the vagabond; he utterly forgets, or seems to forget, that there are honest and excellent men, industriously disposed, who have no opportunity of labour. It is, I grant, right that the idler should be punished, and that the vagabond and the drunkard should suffer; but are the sins of such persons to be laid on the shoulders of the honest man, willing, were the means open to him, to earn his daily bread by the sweat of his brow? That which appears to me to be the particular injustice in this law is the absence of any distinction between the idler and the honest man. Under the operation of the Act of Elizabeth, relief was administered in the parish; the parties who had to give relief knew the man who made the application, and consequently there was a sensible check upon misconduct. The drunkard, though he were in want, shrunk from the exposure of his misdoings, while the honest man knew, when in distress, that as he had done no wrong, relief was his right. Now, however, when a poor man applies to the board of guardians, there is but one there who is likely to know him, that is, the guardian of his parish; and it is probable that on the day he seeks assistance, that guardian may not be in attendance. The systems are utterly at variance; in the one case the man would obtain relief at his door; in the other case he has to go miles for it, and, at the end of his journey, instead of seeing countenances of those to whom his deserts and requirements are known, he finds strangers who cannot possibly sympathize with him, because they are altogether ignorant of the circumstances by which he has been reduced. The Act of Elizabeth was one of the noblest statutes ever passed by a Legislature. It gave a security to property in this country which could have been acquired by no other means; and whatever you may say of the operation of that Act, it has been mainly through its munificent influence that England has attained to her present social eminence. It is, I consider, the first duty of property to protect the poor. How can Gentlemen expect to be safe in their possessions—how can they believe they are in security, if their neighbours are in destitution, and if many of them are starving? It is one of the conditions on which you hold property that you shall assist those who have none. In a state of savage life there is no property. All is in common. The institution of property is one of the first fruits of civilization; and the establishment of private property, the creation of a right, given to an individual, enabling him to hold property, and especially property in land, as his own, throws on him a duty of maintaining or of assisting in the maintenance of those who, though they are willing to work, cannot obtain property, or the means whereby to purchase sustenance. That duty was imposed on property in this country by the Act of Elizabeth; but the principle of that statute has not been embodied in the Poor Law Amendment Act. Sir, I firmly believe that the conduct which the Government is pursuing in this case is of a most unfortunate kind. I say unfortunate, for I scarcely know any word I can more properly apply. I do believe the course which is now being taken will be

attended with the most disastrous consequences to the Government itself, and, what is of still more importance, to the poor. Throughout the country the feeling is extending among the labouring population that this House is hostile to them. What is it which can have produced that sentiment? It is the Poor Law Amendment Act, and that feeling will not easily be removed. You will indeed only increase it a thousandfold if the New Poor Law Commissioners act in accordance with the conduct of the Commissioners about to be dismissed. The poor believe that in this House there is no sympathy for them. Having done no wrong, and committed no offence, they consider their condition ought to be commiserated by those whose position in life places them above want; and having by their labour given value to property, they expect that their poverty should not be neglected. They believe, however, that instead of this, arrangements have been made to withhold from them the relief which was granted by the Act of Elizabeth. They believe that the boon which was thus conferred has been wrested from them by a spirit hostile to them and to their interests. The hon. and learned Member for Bath said, that when he found a Member in this House advocating the cause of the poor, and afterwards denying to the poor a vote for the Members of this House, he pointed his finger at that individual, and designated him as a hypocrite. Now, the hon. and learned Member knows that I, for one, am willing to give the poor the suffrage. I wish to see the labouring population of the country represented in this House; and I am of opinion that nothing would be of a more conservative character, nothing would tend more to give security and stability to our most honoured institutions, than the bestowal of so just a boon upon the people. Why should they desire to do harm? Why should their votes be feared? The men of a higher station are surrounded by extrinsic circumstances which necessarily affect their conduct. Not so the labouring man; he has one object in view; he thinks that ought to be achieved, and he gives his vote in accordance with his independent conviction. The hon. and learned Member desires himself that the working people of England should have the suffrage; and if he saw his own views carried out, how long would the Amendment Act last? If the people were represented here, he would see a complete upsetting of all his favourite views in reference to this measure. I regret greatly that the hon. and learned Member is not here. He is constantly complaining of the intolerance of other persons, and probably he is not aware that he is himself one of the most intolerant men in the House, the most impatient under contradiction, and one who really makes less allowance for difference of opinion than any Member in this Assembly. The hon. and learned Member referred to my acquaintance with the dissecting room, and to my intimacy with some of the various pursuits of life. It is very true. I have attended at the dissection of the human hand—a most exquisite piece of mechanism; I have operated also upon the human head, and I never yet saw one which embraced all the excellencies of humanity. I never saw that development in one head; and if the hon. and learned Member will reflect on that fact, I think it may be useful to him. All knowledge, all virtue, all forbearance, all honesty, is not to be seen in one head. The hon. and learned Member alluded to the court of humanity in this House. He did not mention another sort of court—the court of self-conceit. There are, it is known, a great variety of courts, but that is one of the most unpleasant and offensive kind. I have a great respect for the talents of the hon. and learned Member, and I admire the candour and freedom with which he manifests his philanthropic sympathies. It is always refreshing to hear him at such moments; but if he would remember that, as there are different heads, differently constituted, a difference of opinion may honestly prevail, I think it would be of great use to him in future arguments, and might not be followed by unpleasant effects among the auditors in this assembly. I think that many who support the existing law are as desirous of promoting the interest of the poor as I am. I cannot entertain a doubt on the subject. Why should they not be? What motive can they have for persecuting their fellow-creatures? The poor have done them no wrong, and I am confident they desire to benefit the condition of the poor, to raise them in the scale of society, and to obtain a higher reward for their services. I differ with them only as to the manner in which they would accomplish the common object. I see a statute in operation attended with good results—I refer to that founded upon the principle of the Act of Elizabeth—and I believe that those who broke down the principle of that Act, and who frittered

away its great worth to the poor, inflicted upon them a vast amount of injury. I deny that the great change was necessary, and now, instead of establishing this new Commission, or, instead of giving perpetuity to it, by putting in men connected with the Government, I would greatly prefer the repeal of the existing law, and if a Motion to that effect were moved, most cordially and cheerfully would I vote for it. By so doing, I think I would best promote the interest of the poor, and best serve the ratepayers. But, the Poor Law Commissioners seem to have anticipated that such a Motion might be made; they consequently swept away the parochial cottages and the dwellings belonging to the poor. 4,000 or 5,000 of such sales or transfers have been made; and thus, not a single place for the poor has been left in the parish, except the union workhouse. And I call the workhouse, as it is now conducted, a gaol, and nothing but a gaol. It is true the working man may live out of it; but for what?—to starve. The design is that the working man, if he be placed in it, so miserable are its accommodations, shall not remain except under the fear of starvation should he remove. I will ask those hon. Members who have reflected on the subject, if they consider this to be just treatment to the poor? Ought it not to be a house of accommodation to the poor? You say that the labourer would become an idler, and would be eventually maintained at the cost of the ratepayers, were the workhouse not made a place of terror. But is that any excuse for your treatment of the aged and the infirm? Take an aged couple in the workhouse; dining within the same walls, one on one side, and one on the other. Do you allow them to speak? No; they were denied all opportunity of exchanging a word in conversation. They are always kept apart. That was the practice in the infamous Andover union. [A MEMBER: That was an exception.] Yes, it was an exception we hit upon. It was the particular union into the proceedings of which we happened to make the inquiry, which resulted in that hideous exposure now well known to all the world. And I can tell the hon. Gentleman that the same thing is taking place in other unions, and that the Andover union was no exception, with the exception of the one hit upon. The noble Lord (Lord J. Russell) can see no misconduct on the part of the Commissioners with reference to the Andover Union. Will the noble Lord inform the House what the Poor Law Commissioners are appointed for? Was everything right at Andover? On the contrary, from beginning to end everything was wrong; drunkenness, debauchery, starvation, filth, and every abomination that can be imagined. Yet the Poor Law Commissioners (who are answerable by law for the conduct of the assistant commissioners), when an inquiry was to be instituted into the affairs of that union, sent down an assistant commissioner, the very man who must have had a motive, if anything was wrong, for not inquiring. It was all wrong. The cruelties that were practised at that institution were a disgrace to humanity; and yet it is said the Commissioners were not in error with regard to that matter. Will the noble Lord, before this discussion ends, point out to the House, when his mind is brought to bear practically on the question, what he thinks the conduct of the Commissioners ought to be with reference to such a case as I have alluded to from the Bromley union, and also with reference to another case to which I will briefly refer—that of Margate? By the 27th Section of the Poor Law Act, any person who may require relief out of the workhouse, and who is unable to labour, may obtain it on the order of two magistrates, one of them certifying that the applicant is incapable of working. Mr. Waddington, the highly respected surgeon of Margate, knowing the destitution of a man named Sweetman, in the month of February made application for his relief before the magistrates. The man was present; the magistrates saw and examined him; and, after hearing the evidence of Mr. Waddington, granted an order for his relief. The order was served on the board of guardians, and relief was given him for the first week; but in the following week the board refused to continue the relief. The poor fellow again applied to the magistrates; but they stated that they could do nothing in the case beyond recommending the unfortunate man, who nineteen years ago had lost a limb and could not work, to see the board. Mr. Waddington, with great propriety, addressed the Poor Law Commissioners on the subject, and also the Secretary of State for the Home Department. The Secretary of State, in his answer, said, "he had referred his letter of the 4th inst. to the Poor Law Commissioners"—and that it "was found that the case to which it related had formed the subject of correspondence between the Commissioners and the board of guar-

dians, and that it did not appear that the Secretary of State could interfere with respect to it." Has the noble Lord considered the position in which the Government will be placed by applications of this kind? It will not do to say, "Here is the head of the Commission"—the tail must be looked to as well as the head; the whole body of those appointed by the Crown, and those who hold office *ex officio*, including the Home Secretary, will then be the Poor Law Commissioners; and the Home Secretary will not then be able to say that he will refer such matters to the Commissioners, for they will then be the parties sitting on the same bench with him. Will the noble Lord say how he believes this thing will work? If the noble Lord is prepared to say that the magistrates and guardians ought to rule in such cases, and that their decisions shall be the governing line of conduct, that will be favourable to the Government; but in this arrangement it appears to me that a most unconstitutional thing is being done, in combining the legislative and executive functions. I believe it will be disastrous for the Government, and unfortunate for the country, that such an enormous amount of patronage as this arrangement will create should be in the hands of any party in power. In these circumstances, believing, as I do, that it is a most impolitic arrangement, and that its operation will be distressing to the poor, I will oppose the Bill, and vote for the Amendment of the hon. Member for Knaresborough; and in any future stage of the measure, when a division takes place, I shall most certainly vote against it.

Mr. VILLIERS thought there might be some doubt on the minds of many whether a case had been made out for this measure; but he was ready, for himself, to admit that, after listening to the debate of that evening, and to the hon. Gentlemen who were most violent in opposition to it, a stronger case had been made out than he was prepared for. They had had four speeches that evening against the Bill—from the hon. Gentlemen the Members for Evesham, Somersetshire, Winchester, and Finsbury; and he thought that the first question any person who had listened to those speeches would ask was, "What would these men have? What is it they agree upon, or what would they recommend to be done?" These Gentlemen seemed to differ in their views of the old law as much as in regard to subsequent measures; they differed in their views from all that had been suggested by others; they agreed only upon one thing, and that was their discontent with what existed. There was something the matter, according to all of them. The hon. Member for Evesham was for reverting to the old system. He thought the local administration was the best that could exist, if, indeed, it was not perfection; and he went further, in order to show the House the very high opinion he had of the working population, whose virtues, he said, it was impossible to overrate. The words of the hon. Gentleman on this point were so extraordinary that he had made a note of them. He said, "The labourers of this country have a higher spirit of nobility, a more acute sense of right and wrong, than those who are above them; and there is among them a hatred and distaste of vices which they almost blush to name, but which you do not blush to practise." And the hon. Gentleman said they ought not to subject such men to hardships, or to too much control, for they were far superior to themselves, and that the more they gave them power in their own hands, the more would they show that they deserved it. Now, he only wondered that, entertaining such sentiments of the working classes, the hon. Gentleman should have been so long in that House, and yet had never brought himself to give one single vote that might extend their power, or raise their influence. But the hon. Gentleman was very condemnatory of the Commissioners, and could hardly find words, as he said, to express his views of the evils of the system. Then the hon. Member for Somersetshire was a very interesting character in this debate. He was one of that class who always had great influence in the House, as representing the country party, and he was among the most constant in complaint about things relating to the Poor Law. ["No, no!"] Why, the hon. Gentleman was not satisfied with the present system, and he had come forward on the present occasion and stated his views. [Mr. Ferrand: He always supported it.] The hon. Gentleman had, at least, come forward and stated that he required that the central power and authority should be reconstructed; he wanted the power of the central authority to be strengthened, and wished to clothe them with more powers than they now had. Then the hon. Member for Winchester objected to the central power, and had a high opinion of the enlightenment and intelligence of the local power, and to such

an extent that he said wherever the local authorities had resisted the law of the Commissioners, there had been an enlightened system of conduct. ["No, no!"] He certainly understood the hon. Member to say that where such had been the case the poor had no reason to complain. The hon. Gentleman the Member for Finsbury complained of the manner in which the poor were treated in the workhouse; but the hon. Member for Winchester had another view of the case, and spoke with indignation of men getting fat in the workhouse, and living there in comparative luxury, while the industrious man was left in a state of starvation. The hon. Member for Finsbury had condemned the whole system; and he introduced a contrast between the gaol and the workhouse, to show the superiority of the former to the latter. He also condemned the Commissioners as an unconstitutional power, and longed to see the Statute of Elizabeth carried out, expressing, at the same time, the most perfect faith in the excellency of local control, which was in every respect to be preferred to the system of central superintendence. Now, he held in his hand a speech delivered by the hon. Gentleman on a former occasion, which certainly did not exhibit the same amount of faith in the system of local authority. He said, "It was universally known in this country that the tyranny, oppression, and cruelty which had specially marked the local administration of the Poor Law, were found to be produced by the boards of guardians." On another occasion the hon. Gentleman stated it as his opinion, that the Poor Man's Guardian Society would operate most effectually by directing its attention to the way in which the guardians and other poor-law officers administered the law, rather than to the principles of the Poor Law. The hon. Gentleman was very angry with those who imputed ignorance to others in that House with reference to this subject. Now he (Mr. Villiers) would be the last to bring such a charge against any one; but when the hon. Member wished to bring them back to the state of things laid down in the old statutes, he thought he must be unacquainted with the real nature of those statutes. He found statutes of the most tyrannical and brutal character in the very days to which he referred. For example, if a man was detected in coming back to a parish after being removed, he was for the first offence to be flogged as a vagrant; for the second offence, branded on the forehead with the iron; for the third, sold like a slave; for the fourth, hung as a felon. These were the statutes that existed for the regulation of the relief of the poor in those days to which the hon. Gentleman had adverted. He did not charge the hon. Gentleman with ignorance; but he must call the attention of the House to the fact that he had told them that, in proportion as they had departed from those statutes, they had done injury to the poor. In all this diversity of opinion and absence of any suggestion of a plan that would more humanely administer to the relief of the poor, he saw a reason for some person being appointed to this great department of our social economy who could answer for the mode in which the poor were actually treated in this country. The absence from that House of any person who felt himself responsible for the line of conduct pursued towards the poor, led to many things being said which greatly aggravated the impression out of doors that the poor were insufficiently relieved or cruelly neglected. There was a disposition on the part of certain people always to attack those in authority if they could do it with impunity; and he believed that if such a person as he had referred to was appointed, and ready to meet charges in that House, the occupation of many of such Gentlemen would be gone. He was not surprised that, among those who opposed this Bill, such Gentlemen should be found. By its success, the way in which they obtained notoriety, and the easy way in which they achieved popularity, would at once be lost; for the instant they brought forward their charges of inhumanity and the like, there would be found ready some one clothed with authority to give the unfounded charges the necessary contradiction. That was one reason why he felt disposed to support the measure before the House. He thought it would go a great deal towards removing unnecessary odium from the present system. Whether the measure was the best that could be devised, he could not say; but he thought that the principle of central superintendence was wise and beneficial. The mischief at present was, that this central power was isolated—that it was destitute of sufficient authority; but they were now about to connect it with Parliament, and secure for it that respect which to a great extent it had hitherto wanted. He considered that the superintending power had succeeded exceedingly well in this country. It had been proved to be a great improvement on the late system. Great difficulties had been encoun-

tered. They had effected great changes, and there never was a Board which the people had more reason for maintaining. There never was a time when the people were better reconciled to it, or in regard to which it was found that the opposition given to it was groundless—its usefulness had been great, and it had proved in many cases a protection to the poor. The hon. Member for Knaresborough smiled, with an appearance of confidence, as if he thought himself able to answer that statement. The hon. Member might attempt to hold him up to unpopularity for what he now said; but he would tell him, as the hon. Member for Bath had done, that he was mistaken if he thought he could do so; he completely mistook the people of this country if he thought he could make a man unpopular in their eyes without proving his assertions. He defied him to show that the central power was not a great advantage to the poor of any locality. A superintending power like this could have no interest in being harsh to the poor, and was well calculated to protect them when oppressed. He said that the system was the wisest that could have been adopted; and the more any one considered it, the more convinced he would be how false and unfounded were the statements which had been made, and how groundless was the charge made by some hon. Gentlemen opposite, who said that those who had administered the law had perilled the law. He wished to know what they meant? The novelty of the system was in its administration, and in the great power which was entrusted to those who administered it; when it was said that the law had been attended with success, it meant that the administration of the law had been successful. That House had shrank from defining the mode in which the poor should be relieved; the law did not define the precise mode: that was left to the administrators. Lord Althorp and the framers of the Act said that the law should give relief to the destitute and those who were suffering the extremity of want; and if any judgment could be formed of the intentions of those who prepared the Act, they were, that the law for the relief of the poor should be administered with great economy and with great humanity, but likewise so as not to encourage idleness amongst the poor; and they entrusted the Commissioners with the superintendence of the law. That, he believed, was the original object in view. This was a very difficult and delicate trust, a very arduous and onerous duty, thus entrusted to the Commissioners in 1834. They found great laxity and irregularity in the old mode of administration, and though, as it might be expected, that, however successful they might be, there would be great complaints made, yet there was not one single complaint that was to be traced to the central power. When hon. Gentlemen talked of the principle of the law, they did not know what they talked about. Lord Althorp had said what the Commissioners' duties were; and let hon. Gentlemen hear how the actual and practical change of the system was entrusted to their discretion by Lord Althorp. What was the first thing? They were to abolish the allowance system wherever they found it. Next, they were to deprive the magistrates of the power of giving out-door relief. Next, to alter the constitution of vestries—to alter the administration of the law of settlement and the law of bastardy; and they were to act by so many local municipalities, to consult and conciliate them, to ask their opinion, and to do nothing independent of them. Nothing could be more difficult—no duty could be more arduous than he imposed upon the board of Poor Law Commissioners. He direected them to get rid of the old system, with all its evils; and the greatest success was said already to have attended the change; people talked of the vast improvements under the new law, and yet most inconsistently reflected upon the Commissioners—the whole success attending the law resulting from the fulfilment of their part of the task. But it was one of the consequences of their being entrusted with a large discretion, without sufficient authority to enforce it: everybody considered himself at liberty to criticise it, and what they did was thought wrong. Whilst one set of persons thought they were too severe, others thought they were not severe enough; whilst one party said that relief should be given by cramming all the poor into workhouses—that the workhouse test should be carried out in all parts of the country—and that the Commissioners had failed through not rigorously enforcing that mode of giving relief: another party said they ought not to put men into the workhouse at all. The hon. Members for Finsbury and for Winchester said that the money of the ratepayers should be given to the poor at their own houses, and that they should be given what they asked. [Mr. B. Escott: I never said so.] The hon. Member objected to any test being

applied to them. He (Mr. Villiers) only referred to what the hon. Member said; he did not know what he meant. He (Mr. Villiers) said, as the hon. and learned Member for Bath had said, that a very large class of the industrious poor in this country were deeply interested in having some test applied to persons seeking relief. The poor themselves spoke with disgust of the manner in which the Poor Law had been administered. They used to say that there could be no help for them unless they went on the parish—that no relief would be given to them unless they married early and had large families; and though it might seem that the hon. Member for Winchester and others were taking the part of the poor, they were, in fact, as the hon. and learned Member for Bath had said, taking the part of the idle and the vagabonds and those who would not work, and who said they ought to have relief whenever they asked it. He referred to the state of the country when Lord Althorp introduced the Bill of 1834, when the poor had become absolutely demoralised, especially during the last fifty years. The Commissioners were required to introduce the system gradually, to economize the funds for the relief of the poor, to correct all the abuses which existed under the old system without defeating the great object of the Poor Law; and Lord Althorp appointed men who, he thought, would act in that way cautiously and wisely; and he believed that they had carried out his views. They did proceed cautiously, yet they stirred up a host of enemies. It was on this account that there was a division between them and their Secretary. It was as to the mode in which the new system should be carried into effect: they disagreed on this point; and that was the history of that dispute about which so much had been heard, and which, it was said, had thrown so much discredit upon the Commissioners. He wanted to have the truth known on this matter. Lord Althorp had appointed men as Commissioners whom he thought discreet and prudent, and in a very short time after, differences occurred between them and their Secretary. It had been said that no difference had existed between the first Commissioners, Mr. Frankland Lewis, Mr. Lefevre, and Mr. Nicholls, and their Secretary; but he asserted that the same difference had existed with the preceding Commissioners as with the last. An attempt had been made to show that Mr. Chadwick had not had any difference with the preceding Commissioners. He had seen it stated in his evidence that he discontinued acting at the Board in 1841. This was not the fact. The present Commissioners found a system in the office when they succeeded to it, which did not admit of the Secretary being present at the time they were debating questions. He (Mr. Villiers) had stopped the hon. Member for Weymouth when he entered upon this part of the subject, and stated that it was in 1841 that Mr. Chadwick had been removed from the Board when engaged in business. It was when Mr. Frankland Lewis, Mr. Lefevre, and Mr. Nicholls were the Commissioners, that they found that Mr. Chadwick recommended a different system of administering that law—that which was called a stern administration of the law, as opposed to one which was less stern, or less sudden; and they considered that it was not necessary that he should be present at the Board; and they took a legal opinion upon the subject, and dispensed with his attendance, not determining this themselves under the statute, but acting upon a legal opinion. The difference between them was this: they thought they ought to carry out the measure cautiously and leniently; but the Secretary was of a different opinion: that was the real difference between them; and from that time to this, the Secretary, Mr. Chadwick, had been at variance with the Commissioners, and had done everything in his power, directly and indirectly, to throw discredit upon the Commissioners, and to discredit them. And what was the ground for this? The Commissioners did not despise or underrate the talents of Mr. Chadwick, whom all the world knew to be very able, and very laborious; but every able and industrious gentleman might not have good judgment; and this was the ground upon which they differed. Mr. Chadwick had lately been making attempts to bring the Commissioners into disrepute before Committees of that House. But he had not established by anything deserving the name of proof, that the proceedings of the Commissioners had been illegal or irregular, or that they had had any object in their business but the public benefit and convenience. He had watched this debate, and had listened to everything that had been said of them; and even the hon. Member for Oxfordshire, in his most intelligent speech, had not brought forward anything inculpatory of the Commissioners. Upon comparatively trifling matters, he differed with them. They might have erred in judgment, but he had not been

able to find anything done by them, in which they had not complied with the provisions of the Act of Parliament. They had consulted the highest legal authority, the Crown lawyers of two Governments, who had given their sanction to everything they had done. The Commissioners had, as a matter of course, a great number of enemies of various kinds: they must have. There were some among those who hated the law altogether, and, of course, the Commissioners with it; there were those also, who, approving the law, would administer it differently. To both classes of enemies, the Andover affair was a godsend. It was impossible now to discuss this question, without a reference to that subject. A great impression had been made in the county by the disgraceful disclosures at Andover; and all this inhumanity had been supposed to be imputable to the Commissioners in London. Nothing could be more unfounded and false; it was utterly false. He said, and he hoped it would go forth that he said—most distinctly and unequivocally—that, with respect to all the disgraceful proceedings in the workhouse at Andover, there was not one tittle of evidence to show that those proceedings were the fault of the Commissioners. They were the fault of anybody but the Commissioners. They had done all they could; and it was not the fault of the Commissioners, but owing to the disregard by the local guardians of the rules which the Commissioners had issued. He asked any Gentleman who was upon the Committee, whether the disgraceful proceedings in the Andover workhouse could be charged to the Commissioners? He said not. The hon. Member for Weymouth had said, that the inquiry as to the Andover union had created a public feeling —that he had created a public feeling. He create a public feeling! The hon. Member might call a public feeling, a most false and unfounded impression respecting the conduct of the Commissioners, and he might have contributed to that, owing to the extraordinary position of public affairs last year. No care was taken in the appointment of that Committee; and those who wanted to get rid of the law, were united in the same inquiry with those who only wanted to assail the Commissioners; and the House could not be surprised at the conduct of that Committee. The manner in which the inquiry was conducted was peculiar and unusual in that House: there had been nothing like it. Although the House had made the Committee a Select Committee, what was their first step? To open the door to the public. That attempt had been made before in the Committee on the Poor Law in 1837 and 1838. If the public were admitted to the Committee, it was impossible to prevent most unfair and garbled reports being published, for the newspapers could not publish all the evidence. If he was rightly informed, the matter was discussed before the Committee, who were told the manner in which the Committee of 1837 had acted. In that case the Chairman of the Committee had come to the House and stated that a desire had been expressed in the Committee to admit the public, and asked the Speaker what course they should take under the circumstances? The direction to the Chairman was that if he thought it proper to admit the public, that he should report the evidence *de die in diem* to the House. That evidence, therefore, did not go forth to the public without authority. There was a Gentleman in that Committee connected with the great leading journal—Mr. Walter; and Mr. Daniel Whittle Harvey, also a proprietor of a newspaper, was likewise upon that Committee. Both those Gentlemen were most diametrically opposed to the Poor Law, and both were anxious that the proceedings of the Committee should be published. But what was said? "We do not want anything unfair, we want the proceedings to be public; but let the House and the public both have the evidence before them—let there be no partial reporting;" and they assented directly to the direction of the Speaker. But what did the Andover Committee do? Why, they did not report to the House; but they did let partial reports of the evidence go forth to the public. They refused to let the House have an official account of what took place in the Committee.

MR. WAKLEY: I moved in this House that the evidence should be reported *de die in diem;* and the House rejected the Motion.

MR. VILLIERS was bound to believe the hon. Gentleman's statement; but he certainly was told that there was a disinclination on the part of the Committee to have the evidence reported from day to day to the House.

MR. WAKLEY: No.

MR. VILLIERS: It appeared, however, that the evidence was not officially or fully reported to the House while the Committee was public—and it did not make the impropriety less. The Committee allowed partial reports to go forth to

the public; they allowed personal matters to be inquired into, and partial reports to be made of the inquiry, and at the same time they made no report thereof to the House. When a Committee was a Select Committee, the Parliamentary observance was to report the evidence to the House, and not make it in the first instance public.

MR. DISRAELI: It was not a Secret Committee. The subject had been considered this year.

MR. VILLIERS knew that the subject had been considered this year; but there was not that difference between a Select Committee and a Secret Committee which the hon. Gentleman appeared to imagine. The difference was this: a Select Committee had a right to exclude strangers, but not Members; whereas a Secret Committee had a right to exclude Members; but if the Committee saw reason for admitting the public, they were then bound to ask leave of the House. That was the invariable practice. What was the consequence of the course permitted by the Andover Union Committee to be pursued with respect to their inquiry? The evidence was partially reported; a false impression was made on the public mind; and certain people were daily calling for the dismissal of the Commissioners, founding their reasons on the partial evidence so published. He had heard a Member of the House state, that when he looked at the reports of the evidence in the newspapers from day to day, and compared those statements with the official evidence, he could hardly recognise it as the same. Why, it was impossible for the reporters of newspapers to give a perfect account of what was stated in the Committee; they could but give a partial report. But when charges of all sorts of offences were made against public men, and when, as in the case of the Andover union, all sorts of private affairs were inquired into, he contended that the Committee ought either to have made an official report, or to have concluded the inquiry with closed doors. He remembered hearing the hon. Member for Finsbury (Mr. T. Duncombe) express his extreme regret that he had not attended more to the proceedings of the Andover Union Committee, and declare that if he had, he never should have allowed these charges to have been entered into with the Committee-door open, without either the evidence being reported to the House, or the parties inculpated being present. He (Mr. Villiers) mentioned this in order that the public might know what the real character of the Committee was, and what its animus was; and when he considered this, he was not at all surprised at hearing the noble Lord (Lord J. Russell) say, that the change which he now proposed to make in the law was not in consequence of anything which had transpired through the investigation instituted by the Andover Union Committee, but was entirely owing to his own conviction of the necessity of the change. He (Mr. Villiers) knew not why the hon. Member for Weymouth (Mr. Christie) was not in his place; and having referred so distinctly to the Andover Committee himself, he ought to have been present now. If the hon. Gentleman had been present, he (Mr. Villiers) should have taken leave to remark upon the course which the hon. Gentleman pursued in that Committee, especially as the hon. Gentleman claimed credit with the country for what had resulted from his efforts. The manner, however, in which that hon. Gentleman had examined the witnesses before the Committee was, not at all becoming. He (Mr. Villiers) knew that some hon. Members who went into the Committee-room, had declared that they never saw anything more insulting and offensive than the hon. Member's manner was to persons who were his seniors in age, if not his superiors in everything else. The hon. Gentleman must make a large claim on the indulgence of the House, if he expected to have merit awarded to him in this matter. In further illustration of the manner in which the inquiry was conducted in this Committee, the hon. Gentleman did not scruple to inquire into the private affairs of the witnesses, one of whom had formerly held the office of Poor Law Commissioner. So much so was this practice pursued, that the Committee-room was constantly cleared in consequence of the impropriety of the questions that he put. A constant excitement was kept up from the spirit of those questions, and the manner in which the witnesses conducted themselves under the hon. Gentleman's examination. How was it possible, under these circumstances, for the evidence to be fair, and such as ought to be produced, when they could hardly trust to what the witnesses said? They were under the influence of fear, and everything was done to terrify them. Men who were ready to come forward, actually shrank from doing so, because they dreaded being examined before such a Committee. The hon. Member for Shrewsbury (Mr. Disraeli)

asked last night with great triumph, how it was that the Secretary to the Poor Law Commissioners was not dismissed? How was it that the man who was denounced in that Committee as a dangerous and unscrupulous subordinate in the establishment in which he was found, was not instantly dismissed? Why, how soon would there have been an inquiry on the subject of his dismissal—how soon would there have been another Andover Committee, or, what would be the same thing, a Somerset House Committee! The House had already virtually deprived the Commissioners of the power of dismissing any one, having, by the inquiry instituted before the Andover Union Committee, treated them as subordinates to Mr. Chadwick. Had the Commissioners dismissed that gentleman, he (Mr. Villiers) did not believe that the month of August would have come before they would have had a Committee to inquire into it. And when, after that inquiry, no single thing had been brought home to the Commissioners that could show them to have been the cause of mischief in the particular union of Andover, it had been possible, by every unfair means, to excite such a prejudice against them, might he not fairly assume that the same feeling would have been embarked in any other inquiry, even though no blame might attach to their conduct, any more than in the case of the Andover union? The hon. Member for Shrewsbury did not seem to go into the subject of the Committee last night with any satisfaction to himself; he rather apologized to the House for having anything to do with such a Committee, than gloried in the report. The hon. Gentleman occupied the greater part of his speech in a manner different to that in which most other hon. Members had done; he spoke on the subject before the House; and it was not till he came to the close of his speech that he alluded to the Andover Committee; and he then remarked, that he should have said nothing upon the subject if an hon. Friend had not put into his hand a copy of his own resolution. Now, the House all knew that the hon. Gentleman's attendance on the Committee was very little. [Mr. Disraeli: I was on a Railroad Committee.] The hon. Gentleman might have been on a Railroad Committee; but that only showed that the hon. Gentleman was engaged elsewhere. They all knew that the hon. Gentleman was in a state of excitement during the whole year; his mind was occupied with other things; he was not indifferent to the conduct of the late Government; but, without inquiring minutely into the cause of his absence from the Committee, the fact was, that the hon. Gentleman did not attend till the eleventh hour, and then he came down to the Committee-room, he (Mr. Villiers) knew not in what humour, prepared a resolution, not with very great gravity—"not"—to quote the expression of the hon. Gentleman himself—"not with sufficient thought, but in a moment of excitement," in which he declared that the proceedings of the Commissioners in dismissing Mr. Parker and Mr. Day were irregular and arbitrary, and against the provisions of the statute under which they were appointed. This resolution he proposed in the Committee, and it was carried. Now, he (Mr. Villiers) was sure that if the hon. Gentleman were to apply his mind for three minutes to the subject, he would see that he was not justified in proposing that resolution. This Andover-union concern had been made of great importance; but he must again remind the House, that no blame whatever was attached by the report of the Committee to the Commissioners as to what had taken place at Andover. It was proved before the Committee that Mr. Parker had that very year reported to the Commissioners that the Andover union was going on favourably. Now, the Commissioners could not be everywhere; they must receive reports from the assistant commissioners, who were their eyes and their ears, and the Commissioners were bound to trust them. But Mr. Parker reported that the union was going on favourably. He (Mr. Villiers) had never heard that fact before it was mentioned by the hon. Member for Cambridge, (Mr. M. Sutton) in the course of the present debate. He was perfectly startled on hearing it, and he immediately went up stairs and there found it. He could not believe that these Commissioners, who were so blamed for the state of the Andover union, and for having dismissed two of their assistant commissioners without reason, had received from one of those individuals such a report, and that it had been laid before them the very year in which the Committee passed the resolution of the hon. Member for Shrewsbury. But on searching the evidence, he (Mr. Villiers) saw something more striking—something that would astonish the House; he found that that very fact was brought before the Committee in the shape of a resolution by one hon. Member who felt that he was inquiring into the conduct of individuals that had been impugned, and that

he was bound to act justly. The Committee were making in their report a statement of what had been done respecting the Andover union, and showing how fully the Commissioners were made aware of the state of that union; and he (Mr. Villiers) found that it was proposed to insert a clause in the report, to the effect that Mr. Parker reported the state of the union to be that it was going on well. But would the House believe that the insertion of that fact—for it was not an opinion—was rejected by the Committee? A fact, the most important of all, when inquiring into the conduct of the Commissioners, was struck out of the report. The hon. Member for Andover (Mr. Etwall), and the hon. Member for Shaftesbury, though both of them were most strongly against the Commissioners, yet they could not vote against the fact and the truth; they knew what was their duty, and the trust which was reposed in them by the House; and when the fact was made known to them, they voted that it should be inserted in the report, and that the House should be informed that the assistant commissioner had reported to the Commissioners that the Andover union was going on favourably, notwithstanding the state it was in. He presumed it was in consequence of the right hon. Baronet, the then Secretary of State for the Home Department (Sir J. Graham) having heard that Mr. Parker had reported that the Andover union was going on favourably, and finding so much public interest excited in regard to that union, that he felt it his duty to write a letter to the Commissioners, in which he stated, that looking at the facts as they came before him, it appeared to him that the then state of the union must be owing to neglect and want of due attention on the part of Mr. Parker, the assistant commissioner. Now, the Commissioners not being themselves in possession of the knowledge as to the real state of the union, and receiving a letter from the Secretary of State complaining of the conduct of one of their assistant commissioners in relation to the state of that union, were they not justified in regarding it as almost a direction to them that they must institute an inquiry into the conduct which that assistant commissioner had pursued? Suppose the Commissioners had taken no notice of the letter from the Secretary of State, and suppose some six months afterwards some other case of complaint should have arisen in some other union, in which the Commissioners felt it their duty to institute an inquiry and dismiss some other assistant commissioners — what sort of case, he begged to ask, would then have been made out against the Commissioners, if it should appear that in a case where the Secretary of State had written a letter complaining of the conduct of one of their assistant commissioners, they had altogether neglected to institute any sort of inquiry or take any steps to dismiss the party against whom the complaint was made? He did not wish to say anything against Mr. Parker. He had not the honour of his acquaintance, and he did not know him by sight; but Mr. Parker had brought his case before Parliament; it was not the act of the Commissioners; and, when so much censure had been passed, he was bound to look at the question as a public matter, and to see if the Commissioners had acted with severity. He regretted that any gentleman enjoying station and reputation should lose a situation; yet he could not but look at the situation of the Commissioners. They were blamed for the neglect; and he could not see what middle course they could have taken. When they were blamed for not stating the reason of his dismissal, he must remind the House that Mr. Parker had been advised, under the circumstances, to resign. The course which he ought to have taken, if he meant to bring his case before Parliament, was to have refused to resign: that he was asked to resign was out of consideration to him; but if he meant to bring the case before Parliament he had been ill-advised—he ought not to have resigned, and then he would have called upon the Commissioners to record their reasons; for the statute did not require the Commissioners' reasons to be recorded when they received a resignation. Therefore he said, that the hon. Member for Shrewsbury's resolution was not right in form or substance. With regard to the other assistant commissioner, he did not know much of the case; but he was in the House when the right hon. Gentleman the Member for Dorsetshire alluded to it at an early part of the Session, and he certainly understood him to say, that it was upon his recommendation the Commissioners had dismissed Mr. Day. If he were mistaken in that, of course he could make no point of it; but if a Secretary of State saw reason to dismiss an assistant commissioner, he did not see that blame was to be passed on the Commissioners. He could not see anything in their conduct which

was irregular, or against the provisions of the Act. With respect to the Andover union, all agreed that there had been neglect; and he must remind the House that the noble Lord the Chairman of that Committee (Lord Courtenay), whose character for impartiality had been praised by the enemies of the Poor Law, when he saw the resolutions, would not consent to vote that to be illegal which was not illegal, or to declare that to be a fact which was proved to be otherwise; and, strongly as he was opposed to the Commissioners, he would not vote. He would not support that resolution which condemned the Commissioners. Looking, then, at the proceedings of that Committee, he was not surprised to hear the noble Lord (Lord J. Russell) say, "This shall be no guide to me; I must look to the results of experience, and I cannot rely upon anything so questionable as the report of this Committee." He thought this was sufficient answer to the charges brought against him for not attaching sufficient importance to that inquiry. He would no longer occupy the House. He thought he had shown sufficient reasons for having a Poor Law Commissioner in the House; he thought he had shown that the Central Commission had generally answered its purpose; there never was a time when the people were more reconciled to the Poor Law than now, and especially to that part of it which involved a central independent and controlling authority, which was the control that was the best protection against local abuse, and local tyranny, and which it would be unwise to deprive the poor of. He had recently served on a Committee connected with the Poor Law for three months; before them every kind of evidence had been given, and not a word had been breathed against the Commissioners or a Commission; it was rather approved of than complained against. But what had come out in evidence was, that great inconvenience had arisen from yielding to a mischievous cry against the assistant commissioners, just before the last general election, when they had been reduced from eighteen to nine. That was done in the year 1841, just before a general election; and all the evidence showed that it proved that though it was thought to be popular at the time, it was the cause of great evil afterwards. He therefore was perfectly satisfied with a measure which would give more power and strength, and establish more firmly a system of superintendence over the Poor Law which had existed for thirteen or fourteen years, and had been found most useful. With respect to the Commissioners, they had come through a severe ordeal; he did not in the least deny that they had committed errors, or that they had erred in judgment; but that they had acted corruptly or with inhumanity, or had done anything which the House ought not to have expected from any other Commissioners, he did distinctly deny. He did not think the proposed change would be otherwise than useful, as showing that the House was satisfied with the working of the Commission, and was willing to give the Commissioners every facility to make their system and their conduct understood by the public, and to vindicate themselves against unjust aspersion, and thus to reconcile the public to a well-regulated system of superior or central control.

Lord J. MANNERS said, that the hon. Gentleman the Member for Somersetshire (Mr. Miles) had stated truly that, if this debate had been confined to the subject before the House, it would have occupied only a few hours instead of several nights; and he might add that if it had been restricted to arguments in favour of the Bill, they might have been returned as "none." They had heard the abuses of the old law exposed at as great length as in the year 1834; they had heard the conduct of the Andover Committee criticised to an extent for which no Gentleman in that House could have been prepared; they had heard the conduct of his hon. Friend the Member for Knaresborough (Mr. Ferrand) criticised at equal length; in short, every possible subject had been brought under discussion; but, as for the merits of the Bill itself, they had heard hardly anything. The hon. Gentleman who had just sat down had devoted two sentences and a quarter to the Bill itself; in those sentences he had defended it, and had defended it by an argument which, to his (Lord J. Manners) mind, was as great an accusation against the Bill as could be brought. Although, therefore, he had ample temptation to enter into the general discussion of the Poor Law, he thought it would be more becoming his duty to avoid this tempting opportunity; and he would content himself with saying that his opinion was unchanged, and that he did not think the present Poor Law offered those facilities for the relief to which the industrious and unfortunate poor of this country were entitled. He thought that every objection made against the great size

of the unions was most true and just; he thought, also, that the comparison made by the hon. Member for Oxfordshire between the facilities for religion afforded in the houses of correction and the corresponding facilities afforded in the workhouses, was disgraceful in a Christian country; and he thought that the medical assistance rendered under the present Poor Law was not by any means sufficient. He spoke with some confidence on this subject, because he was one of the Members who sat on the Committee most ably presided over by Lord Ashley; and the general feeling of that Committee, though at the period of the Session they were prevented from making a report to the House, was, that the medical treatment was not such as it ought to be. His mind was impressed from the evidence of the medical gentlemen examined, that they would not have acceded to the terms of the Poor Law Commissioners did they not anticipate, in the event of a refusal, that some young and inexperienced medical practitioner would step in and take their practice, utterly regardless of the wants of the poor. He thought this accusation against the present administration of the Poor Law well founded. It was only the other day, speaking in reference to what had fallen from the hon. Member for Oxfordshire, with respect to religious assistance, that he had read the very interesting report of the chaplain of Knutsford gaol, in which he said it was his custom, strictly in accordance with the prison rules, to examine the prisoners in private as to their religious and secular knowledge, and their former habits of life; and that, on the day appointed by Her Majesty for a public humiliation, ninety-eight of the prisoners had asked permission of the governor to abstain from the principal provisions in the prison. In what part of the system of the Poor Law—in what system of instruction in the workhouses—could it be said that they would obtain such a result as that? It was notorious that such was not the case. Yet, when the hon. Member for Northamptonshire moved that chaplains should be appointed, he required support, and was in consequence defeated. He said, then, that the hon. Member for Oxfordshire was right in drawing the distinction between the gaols and the workhouses in this country. He was of opinion with the hon. Member for Evesham, that the clergy of this country ought to be the *ex-officio* guardians of the poor; but that had been rejected; and it was only the other day that the curate of St. Philip, Bethnal-green, had been obliged to go before the magistrate at Worship-street, to complain of the guardians; and it was because the magistrate expressed a strong opinion condemning the guardians that the clergyman was enabled to bring tardy justice to a dying man and his idiot daughter. He passed, then, from that general theme of the administration of the Poor Law, and came to that which had occupied the House for the last hour, and for many other hours during this debate—the conduct of the Poor Law Commissioners. The hon. Gentleman who spoke last had, in fact, rested the defence of this Bill on the defence of the Commissioners; and he must congratulate them upon having so earnest, so able, and so determined an advocate; but, like many eager advocates, the hon. Gentleman had proved rather too much; for if the Commissioners were so admirable in all their acts—if their conduct upon all occasions had been so correct—if they had violated no law, and had acted up to the very letter and spirit of the statute which they were appointed to administer—if they had done full and ample justice to all the subordinates they had dismissed, and had properly retained those whom they had originally appointed, or were the faultless monsters the hon. Gentleman had described them to be—the House of Commons must be the most unjust legislative body, the most indiscriminating, the most unfair to the people, the world had ever seen. The hon. Gentleman said, the only charge brought against the Commissioners was a violation of the statute; but the hon. Gentleman devoted a considerable time to show that their treatment of Mr. Day and Mr. Parker was not characterized by that injustice which was charged against them. He thought, after what had fallen from his hon. Friend the Member for Shrewsbury on the preceding night, it would require a great deal of eloquence and determination to prove that Mr. Day was not treated with great injustice by the Commissioners; and he expected that in the course of his observations upon the subject, the hon. Gentleman would have been able to disprove the statement brought forward by his hon. Friend. Then the hon. Gentleman was most indignant at the conduct of the Andover Committee. Nothing that that Committee did, or did not—nothing that hon. Members on that Committee said or left unsaid—escaped the hostile criticism of the hon. Gentleman. The hon. Gentleman complained, amongst

other things, that they closed their doors, and permitted evidence to be taken, but that they did not submit that evidence to the House of Commons. But his hon. Friend the Member for Finsbury interrupted the hon. Gentleman, and said that he himself had moved that the evidence be laid on the Table of the House. Did the hon. Gentleman vote on that occasion?—did he vote for the Motion? [Mr. VILLIERS: I never heard of it.] And yet the hon. Gentleman now came forward and made those violent accusations against those hon. Members who devoted four months last summer to the investigation of this most intricate subject; and when asked for proof of the most important part of his charge, said, he never heard of the Motion of the hon. Member. But the hon. Gentleman, not contented with impugning the conduct and conclusions of the Andover Committee, said not only that those conclusions were not worthy of being listened to, but that the evidence upon which they were grounded was also unworthy of credit, for that those unfortunate victims of a partial and unfair Committee were so baited and worried by his hon. Friends the Members for Weymouth and Shrewsbury, and other hon. Members on the Committee, that they did not know what they said or did. A more astounding observation he had never heard. Let them conceive a gentleman like Mr. Cornwall Lewis, so utterly incapable of answering questions put to him by Members of that House, as to say things he did not mean or intend to say! He could not repose much confidence in such assertions. Then as to the question propounded by his hon. Friend the Member for Shrewsbury—if Mr. Chadwick were that *anguis in herbâ* he had been described to be—if he were deceiving and humbugging the Poor Law Commissioners—why was he maintained in his office? The hon. Gentleman said, it was not because he did so towards the present Poor Law Commissioners only, but that he had done the same towards all former Commissioners—that he was only continuing the same course of action, and was only maintained in his office, not because the Commissioners had any confidence in him, but because they and the Government knew that if he were dismissed, he would insist upon an inquiry; and the Commissioners thought they could not stand that inquiry. [Mr. VILLIERS: I never said so.] He would retract the words, but he must retain his argument. The hon. Gentleman said, although the Andover Committee was sitting in August, that he was quite certain the end of August would not have arrived before Mr. Chadwick had kicked up such a disturbance that the Commissioners would not have been able to stand against it; or perhaps the Commissioners felt, that if the inquiry was to be conducted in the same manner as the Andover Committee, they would not be able to stand against it. And what was the charge against the Andover Committee? That they allowed the evidence taken before them to be printed. The hon. Gentleman said, that that course was at variance with the practice of Select Committees, and was liable to objection; and, having had some experience in Committees, the hon. Gentleman said that those Committees had refused to follow—and the hon. Gentleman here used some tremendous epithet which he forgot—the precedent of that Andover Committee. But did not the Free Trade Committee follow that example? Did not the Navigation Laws Committee, of which the hon. Gentleman was so active a Member, do the same? [Mr. VILLIERS: They made reports to the House.] Did the hon. Gentleman mean to say, that reports were not given in the morning papers? He believed that the same system of reporting was practised in the Andover Union Committee as in the Navigation Laws and other Committees; and if blame attached anywhere, it attached to the hon. Gentleman, who was not in his place to vote on the Motion respecting the evidence taken before that Committee. There was not one Member of that Committee but was justified by law and the custom of that House in doing what he did. Then the hon. Gentleman made a most affecting appeal on behalf of the Commissioners, and said they were now suffering undeserved odium in the country, in consequence of the Andover Union Committee's report having placed upon their shoulders the iniquities perpetrated by the board of guardians of Andover. Was there ever so unfounded a statement? He defied the hon. Gentleman to bring forward one resolution of the Andover Union Committee which asserted any such charge. It was true that the Commissioners were unpopular with the country; but it was not true that anything that was said or done by the Andover Union Committee placed the cruelties that were perpetrated at Andover on the shoulders of the Commissioners, nor was it true that the country had any such belief. He

had heard a great deal on this subject, and he could safely say that he had never heard the Commissioners accused of having introduced, tolerated, or sanctioned the cruelties perpetrated by the Andover Union. But the most impressive part of the hon. Gentleman's speech, to his ear, was that in which he deprecated the habit, which he said some hon. Gentleman had fallen into, of attacking the rich and the aristocracy whenever an opportunity occurred for doing so. Recollecting the former speeches of the hon. Gentleman himself, and that long and unscrupulous course of agitation in which he had persevered, he confessed that he had heard those sentiments with some degree of surprise, though certainly with some degree of pleasure as well. His great astonishment was that the hon. Gentleman did not find his indignation excited by the attempts of hon. Gentlemen, either in or out of that House, to bring all power into disrepute unless it was embodied in the Poor Law. If the hon. Gentleman had taken the course he was now taking earlier, and had called upon his supporters not to indulge in attacks on the rich and the aristocracy, then he should have said that the hon. Gentleman was consistent in his present course, and he should not have been surprised at his making those violent attacks upon every one who did not fall down and worship the Poor Law Commissioners. Then the hon. Gentleman attacked his hon. Friend the Member for Weymouth in language as strong as any he had ever heard used in that House. There was no sneer in which the hon. Gentleman had not indulged. The quiet demeanour of his hon. Friend would, he should have thought, have shielded him from such attacks; but it seemed, on the contrary, only to invite them. The hon. Gentleman turned round to the place where his hon. Friend was not, and said, "He create public opinion! He create an influence! Does he flatter himself that he can do anything of the kind?" His hon. Friend was more correct than the hon. Gentleman, and he might congratulate his hon. Friend for having successfully attracted public attention to the great injustice and great wrong perpetrated by those in high authority upon those who had rendered them faithful services in subordinate capacities, but who, the moment they seemed to fail in rendering successful services to their superiors, were discarded without a moment's thought or consideration. If the Andover Union Committee produced no other fruit that of placing the conduct of the Commissioners towards Mr. Day and Mr. Parker in a proper light, his hon. Friend would have reason to congratulate himself. And now he turned from that part of the subject, and asked what reason did the hon. Gentleman assign in the whole course of his speech why they should agree to the second reading of this Bill? There was one reason, and one reason only. The hon. Gentleman said that the central Poor Law authority had been attacked in the violent way it had been, because it was not allied to any great party in the State; and he said he would support the Bill, because it would invest the central authority with the dignity and defence of a great party in the State. Was not that a reason why every Gentleman who wished to see the administration of Poor Law relief pure at its fountain-head—who wished to see the conduct of those men who were invested with that, he would not say illegal, but ex-legal authority properly looked after and attended to—who wished to see justice done to the poor—should oppose the Bill, as it would defeat the very object for which it was intended. To those portions of the Bill which the noble Lord at the head of the Government seemed to think would be productive of more humane and tolerable regulations than existed at present, he would have no objection; but, for the life of him, he could not conceive how the addition of three or four high Government officers, whose time was already taken up so that they did not know which way to turn, could add to the practical efficiency of the present system. He did not think it would operate in any other way than by giving to the declaration of the Poor Law Commissioners the weight and sanction of a higher power. He knew his right hon. Friend the Chancellor of the Exchequer was willing to undertake any amount of work that could be imposed upon him; but he must venture to doubt, even with his great capacity for business, his ability to give anything like satisfactory attention to the meetings of the Poor Law Commissioners—

"Cum tot sustineas et tanta negotia solus."

The President of the Poor Law Commission was to be superior, not merely to the Commissioners, but even to the President of the Council, the Chancellor of the Exchequer, and to the Secretary of State for the Home Department. At the meetings, who could entertain a doubt but that his

opinion and those of his two Secretaries would be taken for granted by the other Members, who would be too much occupied with other matters to investigate into each matter that would come before them. No hon. Member would say that, in point of fact, the decision of the President and the two Secretaries would not be binding upon the other Members of the Commission. Nor could any one believe that the new Commission would give the slightest real administrative power to those great officials whose names and authority would only fortify and screen it. It was because he thought that the change would not be for the practical efficiency and thorough management of the Board—because he thought the present system would undergo through it no beneficial change—because he did not think the poor of this country would be placed in a more satisfactory condition, but would be left just where they were —because the hopes and expectations which had been raised as to the Amendment of the present system would be disappointed —and because none of the evils of the present law were remedied, and because, in short, this Bill only gave a new lease of power to a system that had broken down under the present Poor Law Commissioners, that he felt bound to give his vote against the second reading.

Sir J. GRAHAM: I am not by any means surprised at the impatience of the House, and I had ventured to hope that it would never again have become necessary for me to trespass upon the time or indulgence of hon. Members for the purpose of taking any share in a Poor Law debate; but I trust when the House considers the part which it was my duty to take in framing and passing the Bill of 1834— when likewise they consider the obloquy which I have incurred on account of this law — when I myself also consider the bias which my former official position might be supposed to have given to my mind — and when I recollect also the independent position which I now occupy in this House, and which enables me calmly and dispassionately to review the operation of a measure which, under other circumstances, I might be thought to regard too favourably — I say, that with these considerations present to my mind, it will not be thought unfitting that I should shortly address the House upon the question at present before us. I do not know whether the hon. Member for Finsbury is now in his place, but I am anxious to take the earliest opportunity of saying that I entirely agree with him in thinking that the first duty of property is to maintain the poor. There is no form in which I have not repeated that opinion in this House. It is one of our most binding and important duties to take care that no policy whatever shall at any time interfere with a due provision for the poor, and with their interest and their happiness, rightly understood. I have frequently avowed my conviction that the sound and just principle upon which to legislate for the poor, is to shape your measures for their relief so that they may be rendered conducive to the interests of the moral, the industrious, and the provident labourer, as contradistinguished from the idle and the improvident. Before the great change that within our recollection was made in the Poor Law, the principles which I have just now stated were distinctly and unreservedly avowed, and upon those principles the Bill of 1834 was founded. But I have been told that that measure has been a signal failure. Upon that question I am perfectly willing to join issue; I have shown, and I am prepared again to show, that the objects of that measure have been accomplished. In the first place, I beg to remind the House that one of its objects was to substitute union aid for parochial assistance; that principle has been established. The second object of the measure I may thus enunciate: whereas the Act of Elizabeth, partly from some deficiency in the nature of the statute itself, and partly from the new and false principles acted upon for the first time in 1796, gave occasion for complaints that able-bodied labourers who could not find work were not provided with labour at the cost of the parishes; one of the objects of the Bill of 1834 was to establish the workhouses upon such a basis as that they should be rendered a test of destitution. That workhouse test has been brought into operation, and I apprehend that its practical effect has been successful. I do not think that any denial of that proposition can be in any manner successfully established; the test has been complete—destitution is relieved —habitual idleness receives no encouragement. What is the next question with which we have to deal? It had for a long time become well known that the parish officers generally performed their duty in a negligent and perfunctory manner. We considered that in future we ought to possess a set of officers whose duties should

be clearly prescribed—paid officers, whose conduct should be strictly watched, and whose functions would, therefore, probably be more efficiently performed than by those who preceeded them in conducting the practical working of the Poor Law. I feel that I am warranted in saying, that that object also has been accomplished. The next point to which our attention has been directed is the medical attendance on the poor. Let us remember what has been said on that subject. I am sure the sort of relief given in the shape of medical attendance before the year 1834 is sufficiently in the recollection of every one now present, to enable me, by a mere reference to the fact, to contrast that species of relief with the medical aid given under the Bill of 1834; and I challenge a comparison of the one with the other. I venture, without hesitation to affirm that in no respect could the medical attendance under the old law bear a contrast with that which has been supplied under the new. This proposition I conceive to be perfectly incontestable, and so much has already been said with respect to it, that it is needless to waste another moment in seeking to establish an undisputed position. The Bill of 1834 not only corrected the original evil, but also other abuses which sprung from the appointments being given to those medical men who came forward as the lowest bidders, have been subsequently removed. The old plan did not afford adequate and necessary control; and, as every one might have expected, the insufficient remuneration formerly given to medical attendants laid a just foundation for those complaints of which the House has from time to time heard so much. The neglect of the children of the poor in workhouses was amongst the subjects which formed a just ground of discontent under the old law. Under the arrangements more recently made—arrangements which have received the sanction of the House—effectual provision has been made for the proper education and training of the children in the workhouses. They have been placed under the direction of masters appointed from normal schools; and I undertake to say, that whoever goes to the trouble of examining into the evidence on that subject will find, that in the matter of education the interests of the poor have been most amply and efficiently provided for; and that, upon the subject of instruction and discipline, there exist no just grounds of complaint. Another point to which I now seek to direct the attention of the House, is the imperfect manner in which parochial accounts were formerly audited. The manner in which that department was neglected led to practices which gave rise to the grossest frauds; and the country possessed no means of correcting those abuses till a change in the old Poor Law was carried into effect. But now we have established a perfect system of auditing by means of responsible and independent officers, who strictly watch the whole expenditure. These then, I think, are the principal heads upon which this measure has been attacked; and I deny that upon any one of these it has failed —on the contrary, it has in each case proved eminently successful. I contend that upon every head which I have enumerated, I have established the fact of entire success. Upon other points — especially with respect to the allowance system, the noble Lord at the head of the Government addressed the House at so much length and with so much ability, that it becomes unnecessary for me to say more than that I share his opinions—the old allowance system was fatal to the happiness of the poor; it operated as a premium upon laxity of morals; it was a premium upon idleness, a condition which degraded the honest and independent labourer; it was a premium on premature marriages; it placed the idle and the improvident on the same footing with the most skilful and the best conducted amongst the poor. The endeavours which we have made to correct this vicious system, have been, I repeat it, perfectly effectual; and I ascribe that success to the efficient system adopted by the authority and under the control of the Poor Law Commissioners. The hon. Member for Finsbury said, he feared this House would be degraded into a sort of parish vestry, or board of guardians, by the perpetual discussion of measures of minute detail; and he assumed that we should infallibly be occupied day after day with questions touching the soup in the workhouses, the quality and quantity of the gruel given to the poor, the proportions of milk and water, the bread and cheese, and other details of that degrading kind, which, although they are most important items in the comfort of the poor, are not subjects fit to be considered in this House. Now, if it were a question whether this be the right place to discuss questions of this kind, I might perhaps deprecate the introduction of such a measure; but have we not, in reference to the

measure of 1834, had questions of this sort pressed upon us almost daily by those who persisted in striving at a sort of spurious popularity by forcing questions of this kind on our attention, and at a great disadvantage to the authorities for the elucidation of the real practice, from the absence of individuals who were directly and immediately responsible? Nothing could be more just than the description given by the right hon. Baronet at the head of the Home Department on this branch of the subject; and if any illustration of the truth of his remarks were wanted, it was afforded on the night he made his speech. A question was asked as to the dismissal of Mr. Mott. The right hon. Baronet, speaking from the information he had received, used the expression, "The dismissal of Mr. Mott." Now, in a penal and technical sense, that expression was an error. Mr. Mott, as I explained the other night, was not "dismissed;" but, on a reduction of the number of the Poor Law Commissioners, by Act of Parliament, viz., from ten to nine, it was on the whole thought expedient that he should retire. He was not, however, dismissed on account of misconduct. [Mr. FERRAND: You used the word "dismissal" yourself.] The hon. Member for Knaresborough relies on an expression of mine. I repeat that the Secretary of State, not knowing all the minute particulars of each case, is not the proper channel of communication with this House. It is a mode of communication at second hand, and must be always unsatisfactory. Sir, it is not desirable, nor would it be possible, to use concealment as to the present state of this question. I say, deciding from my past experience of what has been the operation of that just and natural jealousy of this House, considering the vast powers of the Commissioners, and the imperfect nature of their responsibility, this popular assembly, when conceding great powers to public officers, is justly jealous of those powers, and seeks to put its finger on the officer who has committed a wrong, when it suspects error. The noble Lord (Lord J. Russell) with great frankness told us what took place with the colleagues of Lord Grey when the measure of 1834 was framed; and he states that Lord Althorp—that great authority in judgment, in constitutional feeling, and in real attachment to all the principles of popular control as exercised by this assembly—Lord Althorp wished, in the first instance, to take the course which now, after many years' experience, the noble Lord proposes to us to take, and which I now entirely approve; but that, at the instance of others, after weighing the matter carefully, he surrendered his judgment, and made the responsibility to this House not direct, but indirect. I must repeat, that the result of the experience of the last ten years convinces me that Lord Althorp's original opinion was well founded, and that it would have been better had the responsibility been direct to this House in the first instance, by an officer here representing the department; and further, that less inconvenience would arise from the discussion of these minute details in his presence than in his absence. But I wish to observe, that the hon. Member for Finsbury stated that he did not object to boards of guardians; that he was disposed to trust those boards much more than Commissioners; but, not having the opportunity of referring to the debate which was quoted by the hon. Member for Wolverhampton, my memory convinces me that the hon. Member for Finsbury has changed his opinion in a very important item. Until the present debate, I always heard him say that the local authorities are not to be trusted—that they have too deep an interest in cutting down the allowances to the poor—that there is a danger of too rigid parsimony on their part—and that a supervision on the part of a central authority is salutary in the highest degree. That brings me to the question really before us for discussion. First, is the central authority necessary? and next, if it be admitted to be necessary, has the administration of that central control hitherto been imperfect? and if so, does this measure supply a remedy? As to the first branch, it appears to me I have pointed out great and striking instances where a central authority is advantageous; and many Gentlemen on the bench below me, who are opposed to this measure, have admitted that it is necessary to have some central control, and no one more pointedly than the hon. Member for Dorsetshire. The hon. Member for Finsbury argues that, under the system of relief now established, the poor of this country are confined in gaols, as he calls it—though I am rather surprised that he should have used the term after the speech of the hon. and learned Member for Bath on a former evening, who read him a lecture on this point, which he may well remember; but

the hon. Member says that the poor of England are relieved on the condition of their going into places of confinement which he designated as gaols, without having even the advantages of gaols. Now, what are the facts? So far from the people being generally relieved in workhouses, I can state this fact, that for the last three years 15 per cent of the poor alone have been relieved in workhouses, the remaining 85 per cent having been relieved out of the workhouses. The number of poor relieved in workhouses throughout England and Wales cannot have exceeded an average of 185,000, while the persons relieved out of workhouses have exceeded 1,000,000 annually. And when hon. Members talk of the hardships suffered by the poor in this country, I must say that a more unfounded accusation was never brought by Englishmen against their country; I say there is not in the civilized world an example of so noble an effort made in a Christian spirit, in vindication of a great Christian virtue, as the effort made by the people of this country, by charity and by public funds, to maintain the poor. I might, in enumerating the advantages of the change made in the Poor Law, mention that of the great and striking diminution effected in the expense, compared with the expense prior to the Act of 1834. The maintenance of the poor ought now to cost 8,000,000*l.* in proportion to the increase of the population. The poor, as I have already said, are more satisfactorily relieved than they were prior to 1834; but, whereas, at the same rate, the expense would now be 8,000,000*l.*, the object is effected by an annual outlay of 5,000,000*l.* Why, what a sum is 5,000,000*l.*! Last year, when the distress was not so great as this year, there were relieved 2,000,000 of our fellow-countrymen—that is to say, one-eighth of the whole population of England and Wales received relief. I have already said that it is most erroneous to assert that a large portion—the larger portion—of these are not relieved at their own homes. But just contemplate that sum of 5,000,000*l.*! It is as much as in years of peace this country raises for its naval defence; as much (as was well observed by the noble Lord) as is paid to the income tax. I repeat, there is no such example in any nation, ancient or modern, of such a sum so raised, given so unhesitatingly, and the administration of which is so far from being degrading to those who receive it. Then, again, Sir, what are the conflicting accusations against the Central Board? They disprove each other. Sometimes it is said that you ought not to insist on vigorous conditions — that the workhouse test ought not to be enforced in all cases; and then, when it is stated that a large portion of the poor are relieved out of doors, the answer is, that there is too much laxity. Again, sometimes it is said that there are too many Commissioners. The hon. Member for Montrose was one of those who were most urgent in 1839 in pressing on the Government the reduction of the number of assistant commissioners. Yielding to such representations, I rather think that the number of Commissioners was reduced somewhat too low. And that again is now complained of. How conflicting these statements! Sometimes it is said the letters of the authorities are too short and peremptory; at others, that they are too prolix and abound too much in reasoning. In short, for the purpose of attacking this unhappy Commission, the most opposite arguments are adduced—arguments that utterly disprove and contradict each other. It is also said that a central control is, after all, an inefficient control, conducted by men ignorant of their duty. Now I speak in the presence of many hon. Members, who, like myself, are members of the Committee who are sitting to consider the law of settlement—the most difficult branch of political science. We have brought before us most intelligent witnesses from all parts of England—those who have been suggested by various Members as being best acquainted with the subject. Now, whatever may be our differences of opinion, as stated so graphically by the hon. Member for Liskeard, who presides over our labours, at least we are agreed, I think, on one point—that the best and most enlightend witnesses who have been examined by us are four assistant commissioners, whose names, for the purpose of giving them their due honour, I will mention—Messrs. Tufnell, Gulson, Pigot, and Hall. And I defy any one engaged in an investigation like that of the Committee, to receive more assistance from the intelligence, the information, the suggestive faculties, and quickness of apprehension in matters of difficulty from witnesses, than we have received from those gentlemen. And now a few words with respect to the Commission itself. I may be permitted to state the facts of the part I have taken with regard to that Commission. When I succeeded to the

office of Home Secretary, in 1841, I found one single Commissioner, acting under the authority delegated to him, exercising the powers of the entire Commission in England and Wales. I confess I thought the Poor Law Commission had sustained a serious loss from the alteration in its composition which had just preceded my accession to office. I was sorry that Sir Frankland Lewis had resigned; and I will not conceal that, in my opinion, the succession of his son had inadequately supplied his place. With respect to the resignation of Mr. Lefevre, I will not say in your presence, Sir, all I felt on that subject; but I admit I did not think any one could be found adequately to supply his place. My prepossession was, that the change of Mr. Lewis for Sir F. Lewis was not a change for the better. I knew Sir F. Lewis; I did not know his son. Under those circumstances I thought it prudent not to seek the acquaintance of Mr. Lewis; I thought it better to watch his conduct, and to communicate with him only officially, without having any personal acquaintance with him. So matters went on for three months. I have said that my prepossessions were not favourable; but I am bound to add, that with all my experience of the public service, I never saw the public business transacted with more punctuality, with more fidelity, and with more discretion, than the business of the Poor Law Office was transacted by Mr. Lewis during the difficult year of 1842, unaided by any assistance. Forming that opinion, I rejoiced in the opportunity of becoming acquainted with Mr. Lewis, and of uniting official with personal intercourse with him. I acted with him for five years, and having had every day better opportunities of becoming acquainted with his integrity, with his remarkable ability, with his high honour and trustworthiness, I became his intimate friend, and, under every circumstance, I shall be ready to defend him and proud to acknowledge that intimate acquaintance. Sir, it is unworthy of a great assembly like this to pick small holes in the proceedings of public men, and to dwell on any minute errors they may discover in the discharge of public business so arduous. The ablest men, under similar circumstances, must commit errors; and I will even say, it is better that with pure motives they should occasionally commit some errors, rather than that business should stand still for want of decision. We know that prompt decision does sometimes lead to error; and I admit that in some of the mistakes which the Commissioners have committed I participated. Indeed, I do not hesitate to admit that some of the things for which they have been most blamed were known to me before they became responsible for them. With respect to Mr. Parker, I was, during the progress of the Andover inquiry, residing in the north, and became acquainted with the proceedings through the medium of the newspapers to which the hon. Member for Wolverhampton has objected. My impression was, that the inquiry was not conducted in a manner conducive to the public good. I wrote to the Commissioners; I advised them not abruptly to close the inquiry, to conduct it to an end as soon as possible; and I told them that the conduct of the gentleman who conducted it was a secondary question, and that when the inquiry was closed, then would be the time for considering the merits and demerits of Mr. Parker. The Commissioners acted upon my advice, and, upon a review of all the facts, they thought it desirable that Mr. Parker should retire. And now a few words more as to the composition of the Commission. The retirement of Mr. Lefevre took place just at the period when the Government of Lord Melbourne were going out; and in the peculiar circumstances of the moment they did not think it expedient to fill up the office. I felt it a point of honour that the appointment I made should be an appointment free from favour and affection. I selected a gentleman whom I had never seen; but looking at the reports of the assistant poor law commissioners, I regarded the labours of Sir Edmund Head as, upon the whole, best entitling him to receive that reward. So far from making a political appointment, that gentleman happened to be, I believe, opposed in politics to the Government of which I was a member; but that did not prevent me from recommending him to my Sovereign to fill the office of Poor Law Commissioner. And, again, the official and private intercourse of five years has convinced me that Sir Edmund Head is well worthy of the confidence of the Government he serves. So much, Sir, with respect to the past composition of the Commission. But there has been a blot. The appointment I have last referred to was made early in the Government of Sir R. Peel, and the vice from that time to the present, in the composition of the Commissioner, has been, that Mr. Chadwick was disappointed because he was not ap-

pointed to the vacant Commissionership. From that time to the present, Mr. Chadwick never worked cordially with the Commissioners. Fortunately he never was one of the Commission — he was Secretary, holding his office during the pleasure of the Board; but he was no member of the Board; and an hon. Member, who represented that Mr. Chadwick anxiously wished for the dissolution of the present Board, would, if he referred to the concluding passage of the 10th Clause of the Bill, find words that would give him comfort. They would satisfy, also, those who objected to Mr. Chadwick. They were to this effect—that, after the passing of the Bill, all the officers of the Commission shall cease to hold their present offices. I wish very shortly to notice one or two points, with reference to the Bill, which have been urged as objections to it. In the first place, I find that exception has been taken to any increase in the number of placemen in this House. I do not say that any increase in this House in the number of persons holding offices, ought not to be regarded with constitutional jealousy by the House of Commons. But it has been fairly stated by a right hon. Gentleman on a former evening, that a considerable diminution has taken place in the number of placemen in this House. There has been one Lord of the Admiralty less within the last ten years. The Lieutenant General of the Ordnance has been disqualified from holding a seat in this House. The office of Treasurer of the Ordnance has been abolished; and the Treasurership of the Navy has been consolidated with the office of Paymaster of the Forces. The Judge of the Admiralty is no longer a Member of this House; and it also happens accidentally that the Secretary to the Master of the Ordnance has not a seat in the present Parliament. Altogether, there are six placemen who have no longer seats in this House who used to sit here; and I think only one new officer has been appointed with a seat in this House — the right hon. Gentleman at the head of the Railway Board (Mr. Strutt). Do I stop here? I may be wrong; but I confess I think that the Reform Act has added so greatly to the democratic influence of this House, and has thrown so much new weight into the popular scale of the Constitution, that some greater power may, without much danger, be safely intrusted on the other hand to the Crown. The ample and efficient control exercised by this House over any branch of the public service, may remove some of our apprehensions; and it is only necessary to show that, for the purposes of the Government, it is necessary to add to the number of placemen in this House, and my scruples on this head, I confess, are satisfied. I then turn to the question, is it on the whole expedient that the responsibility of the Poor Law Commissioners should be direct rather than indirect? Great exception has been taken to the power given them of making general rules. That delegation may be liable to objection in a constitutional point of view; but I do not see how you can dispense with it. At all events, one of two things must be done. If you attempt to enact *seriatim* and in minute detail all the regulations for the government of the poor in all their varying circumstances, then you must give a dispensing power to the Executive. Or, if you do not give a dispensing power to the Executive, you must delegate the power of making general rules, subject to a prompt and direct responsibility to this House. You must choose between these two courses; and I am decidedly in favour of the last. It is not possible to escape from the necessity of adopting one or other of them. The application of the prohibitory order, with regard to out-door relief in the manufacturing districts, is a most delicate operation when it is remembered that trade is brisk and is suspended almost periodically by fits and starts. There are only 100 unions out of 600 to which this order has been issued. From time to time, as circumstances vary, it is issued; and from time to time, as circumstances change again, it is necessarily and rightly withdrawn. Then, again, with regard to the dietary; consider the circumstances of this country at the present time. A sudden infliction has rendered certain articles of food comparatively dear, and especially dear in certain neighbourhoods. It has in consequence been indispensably necessary to vary the dietaries in different unions. It would be impossible to escape from the necessity of exercising a dispensing power in these cases, if you do not vest in the responsible body the power of making general rules subject to rendering an account for every act to Parliament. As it appears to me, at the present time, and up to this time, Government, with respect to the maintenance and administration of the Poor Law, and of relief generally, has been intimately connected even with the details of

the administration, but without the power of command; it has been responsible—indirectly responsible—without the supreme authority of regulation and control. I am quite satisfied the time has arrived when that imperfection must be remedied; and no other mode of effecting this object occurs to me, after much reflection on the subject, better than that which has been proposed by Her Majesty's Government. Upon the whole, taking the analogy of the Board of Control and of the Board of Trade, I am of opinion that the new constitution of the Poor Law Commission as proposed by the Government is a judicious proposal. It is quite in accordance with my opinion after some experience of what the necessity of the case requires. Without at this time going into minute details, I have contented myself with stating general principles, and an outline of the reasons, which induce me, without hesitation, to give my support to the second reading of this Bill.

The House divided on the question that the word "now" stand part of the Question:—Ayes 218; Noes 42: Majority 176.

List of the AYES.

Acland, T. D.
Adderley, C. B.
Aldam, W.
Allix, J. P.
Anson, hon. Col.
Antrobus, E.
Bailey, J.
Bailey, Col.
Baine, W.
Barclay, D.
Barkly, H.
Baring, rt. hon. F. T.
Baring, T.
Barrington, Visct.
Beckett, W.
Bell, J.
Bellew, R. M.
Berkeley, hon. Capt.
Blackburne, J. I.
Bodkin, W. H.
Bodkin, J. J.
Botfield, B.
Bouverie, hon. E. P.
Bowles, Adm.
Boyd, J.
Bramston, T. W.
Brotherton, J.
Brown, W.
Bruce, C. L. C.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Bunbury, W. M.
Burrell, Sir C. M.
Burroughes, H. N.
Busfeild, W.
Callaghan, D.
Carew, hon. R. S.
Carew, W. H. P.
Cavendish, hon. G. H.
Chaplin, W. J.
Chapman, B.
Christie, W. D.
Chute, W. L. W.
Clay, Sir W.
Clayton, R. R.
Clerk, rt. hn. Sir G.
Clive, hon. R. H.
Colebrooke, Sir T. E.
Compton, H. C.
Conyngham, Lord A.
Courtenay, Lord
Craig, W. G.
Currie, R.
Dawson, hon. T. V.
Deedes, W.
Denison, J. E.
Denison, E. B.
Dennistoun, J.
Douglas, J. D. S.
Duckworth, Sir J. T. B.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
East, Sir J. B.
Egerton, W. T.
Egerton, Sir P.
Ellice, rt. hon. E.
Evans, W.
Ewart, W.
Fellowes, E.
Ferguson, Sir R. A.
Forster, M.
Fox, C. R.
French, F.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gisborne, T.
Gladstone, Capt.
Gore, hon. R.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hale, R. B.
Hallyburton, Ld. J. F. G.
Halsey, T. P.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Harcourt, G. G.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcoat, J.
Heneage, G. H. W.
Hervey, Lord A.
Hobhouse, rt. hn. Sir J.
Hogg, Sir J. W.
Hollond, R.
Hope, Sir J.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Hudson, G.
Hughes, W. B.
Hurst, R. H.
Ingestre, Visct.
Inglis, Sir R. H.
Jervis, Sir J.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Lambton, H.
Layard, Maj.
Legh, G. C.
Le Marchant, Sir D.
Lemon, Sir C.
Liddell, hon. H. T.
Lindsay, Col.
Loch, J.
Lockhart, A. E.
Lockhart, W.
Macaulay, rt. hon. T. B.
Mackenzie, W. F.
Mainwaring, T.
Martin, C. W.
Maule, rt. hon. F.
Miles, W.
Mitcalfe, H.
Moffatt, G.
Monahan, J. H.
Morgan, O.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Napier, Sir C.
Neeld, J.
Neeld, J.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
Ogle, S. C. H.
Ord, W.
Owen, Sir J.
Packe, C. W.
Paget, Col.
Pakington, Sir J.
Palmer, R.
Parker, J.
Patten, J. W.
Philips, G. R.
Plumptre, J. P.
Polhill, F.
Powlett, Lord W.
Prime, R.
Protheroe, E. D.
Pusey, P.
Rawdon, Col.
Repton, G. W. J.
Rich, H.
Roebuck, J. A.
Romilly, J.
Ross, D. R.
Russell, Lord J.
Russell, Lord E.
Russell, Lord C. J. F.
Russell, J. D. W.
Rutherfurd, A.
Sandon, Visct.
Scrope, G. P.
Seymer, H. K.
Seymour, Lord
Seymour, Sir H. B.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Smith, rt. hon. R. V.
Smollett, A.
Somers, J. P.
Somerset, Lord G.
Somerville, Sir W. M.
Sotheron, T. H. S.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, Lord J.
Stuart, H.
Strickland, Sir G.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Talbot, C. R. M.
Tancred, H. W.
Thornely, T.
Tollemache, J.
Tower, C.
Towneley, J.
Traill, G.
Trotter, J.
Turner, E.
Villiers, hon. C.
Vivian, J. H.
Walsh, Sir J. B.
Warburton, H.
Ward, H. G.
Williams, W.
Wilshere, W.
Winnington, Sir T. E.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, Col. T.
Wortley, hon. J. S.
Wrightson, W. B.
Wyse, T.

TELLERS.
Hill, Lord M.
Tufnell, H.

List of the NOES.

Arkwright, G.	Knight, F. W.
Bankes, G.	Law, hon. C. E.
Bentinck, Lord G.	Lowther, hon. Col.
Bentinck, Lord H.	Manners, Lord J.
Blackstone, W. S.	Masterman, J.
Broadwood, H.	Muntz, G. F.
Clifton, J. T.	Newdegate, C. N.
Copeland, Ald.	Pechell, Capt.
Crawford, W. S.	Perfect, R.
D'Eyncourt, rt. hn. C. T.	Sibthorp, Col.
Disraeli, B.	Spooner, R.
Duke, Sir J.	Stanley, E.
Duncombe, T.	Stuart, J.
Escott, B.	Thompson, Ald.
Floyer, J.	Trollope, Sir J.
Forester, hon. G. C. W.	Verner, Sir W.
Frewen, C. H.	Wakley, T.
Gardner, J. D.	Yorke, hon. E. T.
Hall, Sir B.	Yorke, H. R.
Henley, J. W.	
Hildyard, T. B. T.	TELLERS.
Hill, Lord E.	Ferrand, W. B.
Humphery, Ald.	Borthwick, P.

Bill read a second time.

SEDUCTION AND PROSTITUTION SUPPRESSION BILL.

Order of the Day read for the resumption of the Adjourned Debate on the First Reading of the Seduction and Prostitution Suppression Bill.

COLONEL SIBTHORP acknowledged the sincerity of the motives of the promoter of the present Bill, but firmly believed that the measure was more likely to increase than to check the evil. Considering that it was now past twelve o'clock, and that the adjourned debate was likely to last a considerable time, he thought it would be advisable to adjourn till a future period the consideration of a Bill which, however laudable in its object, was certainly very novel in its nature. He should like to ask the Attorney General opposite, who was very competent to give an opinion on the powers of this Bill, whether it would carry into effect that which the hon. Member for Birmingham proposed? He thought it would be prudent for the hon. Member to postpone the further consideration of the Bill not for six months, but for two months. The latter period would be sufficient.

Bill read a first time.

PASSENGERS' ACT AMENDMENT BILL.

Report of the Passengers' Act Amendment Bill brought up.

Amendments agreed to.

LORD G. BENTINCK wished to propose a clause which should provide for Irish emigrants, when conveyed across the Atlantic, the same security as, under the conditions of *Lloyd's Register*, would be required for goods of a dry and perishable nature. If his previous demands on behalf of Ireland had been thought unreasonable, he hoped it would not be thought unreasonable if he desired that the Irish people should be put on the same footing with perishable goods. No goods were entitled to be insured unless shipped on board vessels classed A 1 at Lloyd's. Neither were convicts transported in ships of an inferior class. And when hundreds of thousands of the Irish peasantry were about to be conveyed across the Atlantic, it was but reasonable to require that they should be conveyed in vessels as seaworthy as those required for convicts. In regard to British ships, the emigration agents had required that condition to be fulfilled. The hon. Gentleman the Under Secretary for the Colonies concurred with him in desiring to see proper care taken of Irish emigrants, but thought the existing law would fulfil the object better than the proposed clause. He took a totally different view; and so did all those who were practically acquainted with the shipping of this country. The hon. Gentleman stated that the emigration agents were made responsible for fulfilling the requirements of the new measure, as they were for fulfilling the requirements of the old Passengers' Act—the 5th and 6th Victoria, cap. 107. But there was no such provision in the Bill; and the clause in the 5th and 6th Victoria, cap. 107, was not sufficient for the purpose. By this clause, unless some one raised a doubt—and who was to raise a doubt?—no inspection was required at all, and then all that was required was, that the collector and controller of the Customs, or an emigration agent, should be satisfied that such ship was seaworthy for the voyage for which she was intended. Now, what was the practice? As respected British ships, it was easy enough to secure that they should be seaworthy, because *Lloyd's Register* told whether they were so or not. But as regarded American ships, which were built of the frailest materials—namely, fir—they were not upon *Lloyd's Register*, and they could not be compelled to be upon the register. The practice, in the case of the American ships, was for their owners to get a certificate, which they could easily procure for a guinea or two from any shipwright, that they were in a seaworthy condition. He had before him a list of twenty-five ships, which, be-

tween the 25th of March and the 30th of April last year, were advertised as emigrant ships to go to the United States and the North American colonies; and of these twenty-five ships only four were in a condition to be entitled to carry dry goods of a perishable nature, or convicts to a penal settlement. What he asked the House, then, on behalf of the Irish peasants, was this, that while they were being expatriated in such numbers from their country, they should not be consigned to a voyage in which they would run such a risk of finding a watery grave. Every one knew that the fir-built ships of which the American navy was composed, after a very few years, became in such a rotten state that their owners were afraid to submit them to any examination. But whilst this was his first and foremost claim to the consideration of the House, and the most important feature of the case, he claimed also, on behalf of the British shipowners, that they should not be put in unfair competition with the American shipowners — that whilst they would not permit any British ships to be chartered with emigrant passengers for the United States or the North American colonies, unless they were entitled to be registered at Lloyd's as second-class ships, they should not permit American and foreign ships to come with a mere certificate, which could be so easily obtained for a small payment from any broken-down and bankrupt shipwright, in order to obtain the sanction of the emigration officers to carry passengers. According to the requirements of Lloyd's, a ship, in order to constitute one of the A class, No. 1, must be built of certain materials, and must not exceed a certain age; or, if she did, she must submit to have a whole listing or planking removed from stem to stern, in order to see whether she was rotten or not. Out of the twenty-five ships to which he had referred, no fewer than eighteen refused to submit to this examination; and this was an answer quite enough to show to any man of common understanding whether the ships were sound or rotten, whether they were fit or unfit to carry the subjects of this country across the Atlantic. Nearly three-fourths of the emigrants to the United States were carried out in ships of this description belonging to the United States, and to the injury of the shipping interest of Great Britain. It was a most important consideration for the shipping interest, for he understood that an American ship which sailed from this country a few days ago received 3,000 sovereigns in payment for steerage passengers alone. He begged leave to move the adoption of the following clause :—

"And be it further enacted, that to remove doubts as to the seaworthiness of any vessel about to proceed with passengers as aforesaid, the acting Government emigration officer shall cause such ship to be surveyed by two duly authorized and responsible surveyors, and if it shall be reported by those persons that such ship is not in their opinion in such a state of repair and efficiency as would entitle such ship or vessel to be classed in Lloyd's registry of British and foreign shipping Æ 1, such ship or vessel shall not be cleared out."

The CHANCELLOR OF THE EXCHEQUER was not surprised at the warm interest which his noble Friend took in a matter in which the lives of his fellow-subjects were concerned. He concurred in the feelings which he had expressed, and only doubted whether the course he suggested was the one best calculated to effect the object which his noble Friend had in view. Although the classification of ships in *Lloyd's List* was familiar to the mercantile community, it was not legally recognised, and it might give rise to confusion if it were made the foundation of an enactment. He, therefore, hoped his noble Friend would withdraw his Amendment, and before the third reading of the Bill the Government would determine on the best means of carrying his object into effect. He perfectly agreed with his noble Friend that foreign ships should not be suffered to carry out emigrants unless they were in as good condition in every respect as English vessels.

MR. VERNON SMITH was of opinion that the noble Lord had made out a perfect case. It appeared to him that the Chancellor of the Exchequer had misunderstood the purport of the noble Lord's clause. All that the surveyors were required to do by it was to report that the emigrant vessels were in such a condition as would entitle them to be placed in *Lloyd's List* in the class referred to.

MR. THORNELY said, that the noble Lord had improperly described the American ships when he said they were built of fir; they were generally built of oak, and the fir ships were those of our own colonies. There were not finer ships on the ocean than the American packet ships. He was of opinion that sufficient protection for emigrants was provided by the existing laws.

SIR R. INGLIS expressed a hope, that

as his noble Friend had triumphed, he would not give the House the trouble of dividing on his clause.

VISCOUNT INGESTRE, on the contrary, called upon the noble Lord to divide the House.

MR. BROTHERTON moved that the House do adjourn.

LORD G. BENTINCK said, it appeared to him that the hon. Member had moved the adjournment in order to get rid of a majority; however, if the Chancellor of the Exchequer would assure him that he had understood him correctly in believing him to have stated that in spirit his clause would be carried into effect, he would now withdraw it. After what had passed between himself and the Under Secretary for the Colonies, he felt it necessary that the matter should be distinctly understood.

The CHANCELLOR OF THE EXCHEQUER said, he had not the slightest hesitation in repeating the assurance he had already given; indeed, the moment he saw the noble Lord's clause, he told the Under Secretary of the Colonies that it was impossible to object to its principle.

Clause withdrawn.

Motion for the adjournment withdrawn.

Bill to be read a third time.

House adjourned at half-past One o'clock till Friday, May 28th.

HOUSE OF LORDS,

Friday, May 28, 1847.

MINUTES.] PUBLIC BILLS.—1ª Transference of Lands (Scotland); Burgage Tenure (Scotland); Heritable Securities for Debt (Scotland); Crown Charters (Scotland); Representative Peers (Scotland).

Reported.—Naval Service of Boys.

PETITIONS PRESENTED. From the Provost and others of Glasgow, for Alteration of the Law of Entail (Scotland).—From Factory Workers in the Employ of John and William Chadwick, in favour of the Factories Bill.—From Leicester, for the Repeal of the Malt Duty.—From Melton Mowbray, for Alteration and Amendment of the Law of Settlement.—From St. Margaret, Leicester, for Repeal of the Poor Removal Act, and for the Establishment of a National Rate.—From Her Majesty's Subjects, Sufferers by the Fire of the 9th of June, at St. John's, Newfoundland, complaining of the Misappropriation of the Funds granted for the Relief of the Sufferers.

FIRE AT ST. JOHN'S, NEWFOUNDLAND.

LORD PORTMAN rose, pursuant to notice, to call the attention of the House to papers which had been laid upon their Lordships' Table, respecting the destructive fire which some time ago had taken place at St. John's, Newfoundland. When, in the first instance, it was thought necessary to bring the subject before Parliament, his noble Friend the Secretary of State consented to lay before them the papers that were required to develop the whole transaction. Those papers had for some time been before the House; and, having considered them, he took it upon himself to say, that the case was one which did require the attention of their Lordships. The money which had been subscribed in consequence of this disastrous fire, was not only not applied to the purposes specified in the Queen's Letter, but was applied, by private arrangement, to matters which had not even been mentioned in Her Majesty's Letter. Both the purposes to which the money had been applied, might have been in themselves good; but it was not for both, it was only for one of the number, that the subscribers gave their contributions. The Society for Propagating the Gospel in Foreign Parts, had subscribed 2,000*l.* towards rebuilding the episcopal church at St. John's. But the collection under the Queen's Letter was made from door to door, and many became subscribers who never thought that they were giving their money for the purpose of rebuilding an episcopal church, inasmuch as many of the subscribers were Dissenters, who, in giving their money, thought that they were merely contributing to the relief of their distressed brethren. The petition praying that a Queen's Letter be issued, asked for assistance generally, and particularly referred to the rebuilding of the church; but the answer to that petition, as well as the Queen's Letter, was silent on the subject. What he complained of was this, that having in the first instance taken what seemed to be a perfectly safe, sound, and cautious course, namely, referring it to the governor of the colony to inform him whether it was desirable that any part of the money collected could be spared for the purpose of rebuilding the parish church of St. John, and, if so, what portion should be so applied, his noble Friend the Secretary for the Colonies did not wait for the answer of the governor, but suddenly jumped, as it were, to the conclusion that one-half was the precise proportion that ought to be granted for that purpose. There was one more stage of the proceeding to which he would refer. The Bishop of Newfoundland requested that the money should be kept in this country, and placed somewhere, so that interest might accrue upon it, whereby it might become a larger sum, and be more useful than if sent to the colony at first. His noble Friend the Secretary for

the Colonies consented to that course; but unfortunately another authority in this country stepped in, and the Lords of the Treasury declined to adopt the suggestion. It was evident that there was great distrust of the authorities of the colony, though from what cause it was not for him to say. But there was this difference between the case of the fire in Newfoundland and that of Quebec; in the latter case, the money collected under the Queen's Letter for the relief of the sufferers was sent to Lord Metcalfe, the governor of the colony, for his appropriation and distribution; and he, therefore, was responsible for the whole proceeding; but upon this occasion, there appeared to have been an understanding with the London Committee, and with the right rev. Prelate, and also with the noble Earl the Secretary for the Colonies, that the parties who contributed the money should not be told the purpose for which their money was asked. In his opinion, however, it was desirable that in every case where the people of this country were asked to contribute their money for any purpose, they should be distinctly told what the purpose was. The noble Lord then concluded with expressing his hope, that their Lordships would concur in the Motion he was about to make—

"That an humble Address be presented to Her Majesty, praying Her Majesty to direct, that as often as Her Majesty shall be graciously pleased to issue Her Royal Letters, directed respectively to the Archbishops of Canterbury and York, authorizing the Collection of voluntary Contributions within their several Provinces, Accounts shall be presented to Her Majesty of the Amount of Money received under such Letters, of the Persons to whom paid, under whose Authority, and for what Purpose it is expended."

The BISHOP of LONDON said, that the statement of the noble Lord looked very much like a charge of having obtained money under false pretences. The noble Lord said, that the money had been collected for one purpose, and improperly applied to another; but the money was collected for the general purpose of repairing the damage committed by the fire; and the clergy and the congregation of St. John's were sufferers by that fire. He maintained, therefore, that providing funds for the rebuilding of the parish church was a work of charity. That a great part of the money collected, was contributed by persons who believed that a portion of it would be applied to rebuilding the parish church, he did not entertain a doubt; nor could he conceive that any member of the Established Church could make any objection to such application. The whole matter, from the beginning, was most open; there was no concealment—no delusion—and he must repel, without any qualification, the charge of having been accessory to a measure, the effect of which would be to collect money under false pretences. The London Committee, having very charitably and benevolently exerted themselves to raise funds by general subscription for the relief of the distress occasioned by the fire in St. John's, considered that an appeal ought to be made through the usual medium to the members of the Church of England; and he himself believed, that the money was almost exclusively collected from members of the Church of England. The committee appealed to the Secretary of State for a specific mention of the church of St. John's in the Queen's Letter; and the answer they received was, that the Queen's Letter had already been issued; he then wrote to the chairman of the committee, and the reply which he received was, that the committee were unanimously of opinion that a portion of the funds should be applied to the rebuilding of the church of St. John's. He, therefore, could not conceive that there had been any breach of trust, or the slightest deviation from the strict line of duty, on the part of the Secretary of State in the course he had taken. He himself had little responsibility in the matter; but, if the whole rested upon his shoulders, he should consider that he had but done his duty. At the same time, he thought that when money was given for general purposes of charity, an account should be furnished to the donors of its application.

EARL GREY said, it was true that, on the 7th of November, 1846, he did refuse to allot any portion of the money to the purpose of rebuilding the church of St. John's; but shortly afterwards he received a despatch, dated the 26th of November, 1846, from the officer administering the government of Newfoundland, stating that the grant of money that had been already made, had had a demoralising tendency, as the people seemed to have an idea that, whether they were in poverty or not, they had a right to relief out of the money that had been subscribed, and requesting that the rest of the funds might be placed in the hands of the Secretary for the Colonies, to be appropriated as he thought fit, and in particular recommending that a part of it should be applied to the rebuild-

ing of the church. He placed his change of determination expressly on the ground of fresh information, and on the fact that the principal sufferers had received almost the whole amount of their loss, whilst those who had not received the amount of their losses were the small shopkeepers, on whom the expense of restoring the church would principally fall. Besides, the officer administering the government, had recommended a fixed proportion of the money to be applied to this particular purpose. With respect to the Queen's Letter, it was contrary to precedent to notice all the objects to which the collections were to be applied; and it was the usual course to leave the distribution of the fund raised to a committee administering any general subscription, the Government having, in fact, no means of distributing these voluntary contributions. At the same time, he saw no objection to the present Motion.

The BISHOP of SALISBURY said, so far as he had the means of judging, no appropriation could have given greater satisfaction to the clergy than that of providing for one of the most grievous disasters amidst the general calamity; and such an incident as the destruction of the church, ought not to have been omitted from general assistance. The parties who applied for the Queen's Letter, the authorities in the colony, and Her Majesty's Government, had all concurred in the necessity and propriety of this application of the money; and he believed it met with general assent.

LORD PORTMAN replied, disclaiming any intention of imputing blame to any of the clergy, though there was a different interpretation put by them upon the Queen's Letter.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Friday, May 28, 1847.

MINUTES.] NEW MEMBER SWORN. For Galway County, Thomas John Burke, Esq.

PUBLIC BILLS. — 2° Newfoundland Government; Burgh Police (Scotland).

Reported.—Copyhold Commission; Turnpike Acts Continuance; Loan Societies; Cemeteries Clauses; Police Clauses.

PETITIONS PRESENTED. By Mr. D'Eyncourt, from Camberwell and Walworth, for Alteration of the Law of Registration of Voters.—By Mr. H. Baillie, from Members of the Presbytery of Inverness, and by Sir G. Clerk, from Dornoch, against the Marriage (Scotland) Bill.—By Mr. Christie, from Persons formerly Clergymen of the Established Church of England and Ireland, and from Protestants of Bridgetown, for Religious Toleration.—By Sir G. Clerk, from the Parish of Stoke Damerel, Devonport, for Inquiry.—By Sir R. H. Inglis, from Mathias Gaunt, of the Union Steam Mills, Windermere, Van Diemen's Land, respecting Penal Discipline.—By Mr. Newdegate, from Owners and Occupiers of Land in the County of Warwick, in favour of the Agricultural Tenant-Right Bill.—By several hon. Members, from a great many places, for Regulating the Qualification of Chemists and Druggists.—By several hon. Members, from Catholics of numerous places, for Alteration of the proposed Plan of Education.—By Mr. Ewart and Mr. Smollett, from several places, for Alteration of the Law relating to Exciseable Liquors (Scotland).—By Mr. Watson, from William Cobbett, a Prisoner in the Queen's Bench, for Inquiry respecting the Fees (Court of Chancery).—By Mr. V. Smith, from Commissioners for Paving, Lighting, Cleansing, and Improving the Town of Northampton, against, and from several places, in favour of, the Health of Towns Bill.—By Lord J. Stuart, from Provost, Magistrates, and Town Council of Ayr, and by the Lord Advocate, from Commissioners of Supply for the County of Fife, in favour of the Heritable Securities for Debt (Scotland); Transference of Land (Scotland); Burgage Tenure (Scotland); Service of Heirs (Scotland); and Crown Charters (Scotland) Bills.—By Mr. Brotherton, from Members of the Board of Surveyors of the Highways of Salford, against the Highways Bill.—By Mr. Brown and other hon. Members, from several places, in favour, and for Alteration of, the Medical Registration and Medical Law Amendment Bill.—By Mr. J. Dundas, from Operative Shipwrights of London, and by the Lord Advocate, from Leith, against the Repeal of the Navigation Laws.—By Sir De L. Evans, from John Wild and Barnard Devine, Pensioners, for Inquiry.—By Mr. W. H. Bodkin, from Poor Law Officers, for a Superannuation Fund.—By Lord G. Bentinck, from several places, in favour of the Railways (Ireland) Bill.—By Mr. Henry Baillie, from Members of the Presbytery of Inverness, against the Registering Births, &c. (Scotland) Bill.—By Sir G. Clerk, from several places, for and against the Registering Births, &c. (Scotland); and Marriage (Scotland) Bills.—By Mr. Brown, from Members of the Liverpool Anti-Slavery Committee, for the Suppression of Slave Markets.

PORTUGAL.

MR. HUME would repeat the inquiry which he put to the Government previous to the holidays, as to whether they had any objection to lay on the Table of the House the instructions under which the British authorities in Portugal had been directed to interfere in the internal affairs of that country?

LORD JOHN RUSSELL said, it was his duty to oppose at present the production of the instructions to which the hon. Member referred. Her Majesty's Government had the subject under consideration; and, when the proper time came, the Government would place on the Table of the House the whole of the instructions. They did not, however, think it would be consistent with their duty to do so at present.

MR. HUME said, that all the mischief would be done in the meantime. Seeing the noble Lord at the head of the Foreign Department in his place, he would ask a question, which probably the noble Lord might answer. He wished to know whe-

ther it were true that the British authorities in Portugal, Colonel Wylde and others, had threatened the Junta to interfere by force of arms, unless certain terms were agreed to by them?

Viscount PALMERSTON said, that the British Government, in conjunction with the Governments of France, Spain, and Portugal, were engaged in measures which had for their object the pacification of Portugal. Of course, his hon. Friend could not expect that papers could be laid on the Table, whilst the transactions to which the papers had reference were in progress. When the proper time came for the Government to lay before Parliament papers explanatory of the grounds and reasons for the course which they had pursued, they would be most happy to do so; and he thought he should then be able to satisfy the House that the Government, by their conduct in reference to Portugal, had done nothing to forfeit the confidence of Parliament.

Mr. HUME wished to know whether coercive measures had been already adopted by the British Government; and, if so, whether it was under any new treaty that such a course had been pursued?

Viscount PALMERSTON said, his hon. Friend must see that it was impossible for him at present to give explanations of measures, which were measures not merely of the British Government, but of the British Government acting in concert with its allies.

Mr. HUME gave notice that, on the reading of the first Order of the Day on Monday, he should again call the attention of the House to the subject.

Sir R. PEEL said, that the noble Lord had stated that the course of policy at present pursued in respect to Portugal, was adopted in concurrence with the Governments of France, Spain, and Portugal. Would the noble Lord object to state whether that course of policy resulted from a friendly concert between the Three Powers and this country, independent of the Quadruple Treaty, or whether from any obligation still imposed by that treaty?

Viscount PALMERSTON said, the policy pursued was not considered to result out of the Quadruple Treaty, except in so far as the Government of Portugal had addressed itself in preference to such of its allies as were parties to that treaty; but the measures that might be adopted were founded on a fresh agreement and friendly compact.

PUBLIC WORKS (IRELAND).

Lord GEORGE BENTINCK wished to put a question to his right hon. Friend opposite (the Chancellor of the Exchequer) respecting the superintendence of Government works in Ireland. It seemed that whilst the expenditure had been reduced from 250,000*l.* a week to 67,000*l.*, the expense of the staff was not reduced in the same proportion; that expense amounting to about 14,000*l.* a week. It had been estimated by his right hon. Friend opposite, that the expense of the staff would be no more than $7\frac{1}{2}$ per cent on the expenditure; and he therefore wished to know whether there was any prospect of the expense of the superintendence being reduced in proportion to the reduction of the amount of money expended on labour. He also inquired what proportion of these persons receiving 14,000*l.* a week were destitute electors?

The CHANCELLOR of the EXCHEQUER said, he now held in his hand an account of the precise numbers employed on the 25th of this month, and he was happy to state that a very large reduction had alredy taken place in the number of persons superintending the works, and especially in reference to the classes to which the imputation contained in the question formerly asked by the hon. Member for Oxfordshire applied, but which, in the present state of Ireland, he should have thought it hardly worth that hon. Member's while to throw out. He would state the amount of reduction, which, he repeated, had principally fallen on those classes of persons, for he could not hold out the expectation that there could be so great a proportionate reduction in the superior class of officers, who were mainly military men, because a large proportion of them must necessarily be transferred from the public works to the duty of aiding the relief committees in the discharge of their various functions. It also must be obvious that the reduction of the superintending officers and pay-clerks could not be effected so rapidly as the reduction of the persons employed, as they must be retained for a certain time to wind up and to bring to a conclusion the various accounts. With respect to the two classes of persons, namely, the overseers and the check-clerks, which might perhaps comprise a certain number of electors, although not having access to the registry, he could not state how many of them were electors, the reduction which had taken place from

the 31st of March to the 25th of May was as follows:—On the 31st of March the number of overseers employed was 11,218, and on the 25th of May, 3,716, being a reduction of about 7,000. In point of fact, this reduction was brought into effect, within a very small amount, on the 10th of May, when the number employed was under 3,800. Therefore the principal reduction had taken place before the noble Lord put his question on this subject on a former occasion. With respect to the check-clerks, there were, on the 31st of March, 4,835 employed, and on the 25th of May 2,080, being a reduction of more than one-half. Thus, in respect to the two classes to which the hon. Member for Oxfordshire's question referred, there had been a reduction of the number employed from about 16,000 on the 31st of March, to about 5,700 on the 25th of May. With respect to other reductions, they were going on as rapidly as was consistent with bringing the various accounts to a close.

DIRECT TAXATION.

On the Motion that the Order of the Day for the Committee of Supply be now read,

MR. EWART said, that in introducing the subject of which he had given notice—the effect of the present excessive amount of indirect taxation on the trade and labour of this country—he had been impelled by the importance of the question to our commerce and manufactures, and, most of all, by a conviction of the undue pressure of the existing system on the poor. He thought that the time had arrived when our whole scheme of taxation should be reconsidered: what had been its result in past experience—what should be our principles of action for the future. The present system of indirect taxation was oppressive to the labouring classes of this country, not only because it taxed trade, the principal source of their employment, but because the mode of its imposition was, towards them, unjust. In every instance, the same duty was levied on the inferior article used by the poorer, as on the superior article of the same nature consumed by the wealthier, classes. The cheaper bohea or congou tea of the poor man, paid the same amount of duty as the costlier congou or hyson of the rich. So did his butter and cheese, his tobacco, his sugar, and his coffee. Yet it stood on evidence, given before the House of Commons, that by far the larger amount of duties on all these articles was paid by the great mass of the working classes. They were the great consumers of tea; they were the main consumers of foreign butter and cheese; they formed (as it appeared before the Tobacco Committee) nine-tenths of the consumers of tobacco. They paid, therefore, the larger amount; and, under the operation of an uniform duty, they paid it in an unequal manner. In fact, it was stated, by one who appeared to have paid much attention to this subject, that "the poor were taxed (under the present system of indirect taxation) to the extent of 20 per cent, or one-fifth of their property." The inequality of this system had neither escaped the observation of statesmen nor political economists, and they had suggested as a remedy the imposition of a proportionate duty on the sale price of the article—in other words, an *ad valorem* duty. This principle, after a long life of financial and commercial experience, was embodied in the famous Excise scheme by Sir Robert Walpole—a scheme which shook his Administration, and endangered his life. It was thus explained and defended by our great political philosopher, Adam Smith:—

> "If (he observes) commodities were delivered out for home consumption, the importer not being obliged to advance the tax till he had an opportunity of selling his goods, either to some dealer, or to some consumer, he could always afford to sell them cheaper. It was the object of the famous Excise scheme of Sir Robert Walpole to establish such a system."

Were such a plan introduced, and an *ad valorem* duty applied to it, it would form a species of indirect tax on property. Such a system had been pursued in levying the duties on the sales by auction of the East India Company's tea. But was it applicable to modern usages and modern commerce? He (Mr. Ewart) feared not. To accomplish it, you must have a system of compulsory and periodical sales by public auction. Freedom in the disposal of produce, when they could and how they could, by the traders of this country, and the extension of sales by private contract, appeared to be indispensable to modern commerce. What then remained? That, to alleviate and equalise their various fiscal burthens, they should extend more fully the principle of taxation upon property. Such a system of financial reform would not benefit the public by a change of the point of pressure only: the reduction or repeal of an indirect tax amounted to much more than the mere amount of the duty reduced. It was an observation of Dean Swift,

as trite as it was true, that "in matters of finance two and two do not always make four." He (Mr. Ewart) believed it might be said that, in the reduction of taxation "take two from four, and two do not always remain;" but (if the reduction be judiciously effected) sometimes much more than two. Thus he found it stated, that while the Excise duty on salt (30*s.* a cwt.) existed, the price of salt in the interior of this country was 40*s.* the cwt. The tax was repealed. But the price of the article fell much more than by the mere amount of duty repealed. It did not fall to 40*s.*, minus 30*s.* (the amount of duty), that is, to 10*s.*, but to 3*s.* 6*d.* Such was the effect of removing the intermediate charges for capital and time, which vanished with the primary and original charge of duty. So when that judicious measure, the repeal of the duty on almanacks, was effected by that excellent man, the late Lord Spencer, the price of almanacks fell by much more than the amount of duty. The tax was 1*s.* The price of *Moore's Almanac* was then, duty included, 2*s.* 2*d.* The tax was repealed. The price fell, not to 1*s.* 2*d.*, but to 6*d.* Thus, much collateral as well as immediate good was conferred on the public, by the abolition of an injudicious impost. In his review of taxation, he (Mr. Ewart) would begin with the Customs duties, and then proceed to the duties of Excise. From among the Customs duties, he would select the duty on tea. Tea was becoming more and more an article of consumption by the poorer classes of this country; and it was an article which, in modern times, much affected the employment of the poor, because it was the basis of our trade with China. But how disproportionate was the duty on the lower priced, compared with the higher priced article. The poor man paid for his tea more than twice the proportion of duty which the rich man did. Yet the greatest tendency to increased consumption existed among the poorer classes. The real secret of indirect taxation was, to increase your *area* of consumers. Let the base of the pyramid be as wide as possible. By lowering the duty, you create a new class—almost a new nation of purchasers. The habit, once given, was never lost; and the newly acquired want elicited new energies from the population. Nay, more, the good conferred was collateral, as well as direct. If more tea be consumed, more sugar will be demanded also. In the Isle of Man, the duties on tea had been reduced. The consumption increased largely; and, contemporaneously, the consumption of sugar. But the duty ought also to be reduced, for the sake of further employing our poor. Our exports of cotton to China were decreasing. Our exports of woollens were alarmingly diminished. Germany and Belgium successfully competed with us. Yet it was undeniable, that China only waited for a large reduction of the tea duty to become an immense consumer of the cottons and woollens of Great Britain. The principle which events had rendered applicable in India, must be applied by us to China. Take her natural products, she will take your artificial products. Lower your duty; and unlock the trade. By such means, in India, the production of sugar had been doubled since 1840; coffee since 1839; sheep's wool, a new article of export, had been called into existence; and these must be exchanged, directly or indirectly, for British manufactures. Thus the new wants of the people would create new employment for the people; while mutual intercourse and mutual peace would be promoted with the East. To another article—or rather to two other articles, whose consumption among the poor was greatly extendible—he had already called the attention of the House: he meant the humble but most important articles of butter and cheese. Mark the tendency of the area of consumers to enlarge itself coincidently with a reduction of duty. Since Sir Robert Peel had reduced these duties by one-half, the consumption of foreign butter and foreign cheese had greatly increased. This was the range of increase according to the Finance Accounts of this year:—

Value of foreign Butter consumed	in 1845,	£259,151
	in 1846,	364,194
	in 1847,	372,727
Value of foreign Cheese consumed	in 1845,	£312,320
	in 1846,	387,497
	in 1847,	506,761

Foreign butter and cheese (like so many other foreign articles) were mainly, nay essentially, consumed by the working classes of this country. Our very agricultural labourers lived upon Dutch cheese. Here, again, he said, extend your *area* of consumption. Lower, or rather repeal, this iniquitous duty, which, in times of scarcity, was a cruel duty; feed your people, and extend your trade; and bind Holland to you by the golden links of commerce and of peace. The tobacco duty, though on principle a perfectly justifiable duty, was, in consequence of its amount,

a duty most oppressive on the poor. It ranged between an amount of 600 and 1,200 per cent on the value of the article. So extravagant a duty was a financial solecism. In such cases, our friend the smuggler interposed; and it appeared, before the Committee of which he (Mr. Ewart) was a member several years ago, that tobacco was sold at a lower price than the amount of duty. But what the people gained in smuggling, they lost in morality. It appeared by a return (moved for by Mr. Hume) that in the three years ending in 1845, no less than 3,000 persons were convicted for smuggling tobacco. Nay, the Committee had evidence that a school for smugglers was established in London; he regretted to add that it was under female superintendence, and he feared it might successfully rival some of the institutions of the Committee of Council on Education. In considering the tobacco duty, the manufacture of snuff ought not to be omitted. It seemed to be established by every witness before the Committee that, were the duty lowered, this country would become the great centre of the manufacture of snuff. We were already bound to America by our cotton trade: we were perhaps about to be even more essentially united to her by the corn trade. It would be well if we found another source of extended commerce, and another security for peace, in the tobacco of Virginia, as well as in the cotton of the southern, and in the corn of the western regions of the Union. He turned to another most important and yet undeveloped trade, the wine trade. Our commerce in this direction was chained down. These two propositions were clear: that other nations, less able to pay for them, consume far more of the wines of France than we do; and that we consume far less than we did, in even less civilized times. For this anomaly there could be no other reason than the burthensome duty upon wine. Denmark, not more populous than London, consumes more of the wines of France than all Great Britain. Holland (according to Mr. Porter), sixty times as much. Here, again, was an opportunity of extending the *area* of consumption. Bring in a new race of consumers. Formerly the demand came from a lower depth of society. Let it come thence again. France can supply us cheaply and abundantly. He (Mr. Ewart) had moved for a copy of the address of the *Libres Echangistes* (or free-traders) of Bordeaux to Lord John Russell. Let him quote their words:—

> "The consumption of wine in France is thirty-six gallons per inhabitant; in England it is only one-fourth of a gallon. In the 17th century, the consumption of wine in the British Isles was many times greater than now. Suppose a duty imposed of 10*l.* a hogshead, common wine could then be sold (duty included) at 4½*d.* a bottle, ordinary sorts 6*d.*, superior sorts at 8*d.* a bottle."

The wines of Bordeaux were formerly not only a more common beverage in England, but the orthodox beverage at Oxford, till port was introduced under the shelter of the Methuen Treaty, and until diplomacy, as she often did, but as she should never be allowed to do, imposed fetters upon commerce. Besides re-opening our trade with France, a reduction of the wine duties would open a new trade with Greece and Italy, and clothe the natives of those and of other countries with our manufactures. From the consideration of injurious Customs duties, he turned to a subject of even greater oppressiveness, the duties of Excise. He knew not how this most important element of impolitic taxation had been so long neglected. Our views, long directed to duties on our foreign trade, had overlooked the imposts and restrictions which weighed down our domestic manufactures. The gigantic injustice of the corn laws had thrown into the shade many evils which were nearer home. It was true, that various judicious reforms in the Excise had been adopted. The Commission of Excise Inquiry, appointed in 1833, with the late Lord Congleton as its chairman, had suggested many most valuable changes. Several of these had been adopted, especially under the auspices of the present able chairman of the Excise Board, Mr. Wood. The duties on vinegar, starch, glass, and more recently on auctions, had been abolished. But many grievous burdens still remained. It was not always of the amount of duty, nor the conduct of the officers (who, generally, he believed, were well-conducted), that the traders complained, but of the *system*; in matters of trade, a small restriction was a great impediment. The very act of intermeddling was an evil. But it was much aggravated when this intermeddling took place in the course of manufacture. A necessary corollary of the Excise system was the survey on dealers. This involved the right of entering on premises at any hour; even (with certain observances) at any hour of the night. The act of "taking stock" was another official interference. He was told that, to make this interference really effective, the number of officers must be multiplied to an

excess which was scarcely within the bounds of possibility. But it appeared to him that interference with trade involved the sacrifice of the most valuable of all things to the trader, namely, the trader's time. He was told that this was especially the case in the paper manufacture. Suppose our cotton, or silk, or woollen manufacturers were suddenly subjected to the same mysterious meddling, is it possible that they could endure it? The duty on soap, however modified it had been in substance and in form, was still, to his mind, a great national evil. True, the duty had been reduced; but not to the extent recommended by the Excise Commission in 1833. But of this, and other duties, he thought it would be better to absolve commerce altogether, and adopt the substitute he should suggest—a system of direct taxation. The report of the Commissioners stated, that the manufacture of soap was more advanced in France, and even in Spain, than in this country. The duty on olive oil (one of the elements of foreign soap) had indeed been reduced from 4*l.* to 2*l.* per ton; this was one of the judicious fiscal reforms of Sir Robert Peel. It ought however (as a tax on a raw material of soap) to be altogether repealed. Even then, could we successfully compete with the foreign soapmaker, while our Excise system obstructed the progress of improvement? It appeared, by the report of the Commissioners, that duty was payable on soap which was the result of an unsuccessful experiment. He could scarcely believe that a regulation so hostile to commerce still existed. Even were it modified, objections to the principle of the soap duty remained. The soap duty did not extend to Ireland; if suffered to exist, there can be no doubt that Ireland (as the Commissioners of Inquiry recommended) ought to be liable to the duty equally with Scotland and with England. He next turned to a subject which he deemed of the greatest importance to this country. He meant the duty upon paper. This duty, together with the soap duty, was imposed by the 10th of Anne (in 1711), in the words of the statute—

"For raising large supplies of money to carry on the present war, until your Majesty be enabled to establish a good and lasting peace."

The peace had been established in 1713. It was (thanks to Sir Robert Walpole) tolerably lasting too; but the duty had never been repealed, He held this to be a most objectionable tax. Its levy caused much vexatious interference. An account (he believed) must be taken of the daily produce of the paper manufacturer. The number of sheets in every ream must be given. Every ream must be labelled. Every label must be written on. If the paper be afterwards destined for exportation, the label must be removed. All this was interference; and it was a tax of the most intolerable kind in this age, because it was *a tax upon time.* To tax the *time* of the trader, was (in his, Mr. Ewart's eyes) one of the greatest fiscal offences that could be committed. Yet, in all these little matters, the workmen must attend the steps of the Excise officer. A paper manufacturer with whom he was acquainted, was lately showing his works to an enlightened foreigner, the owner of a paper manufactory in the Roman States. Entering a room of the establishment, they found two men at work. The Italian learnt with astonishment that these were officers of the Government. He paid, he said, a direct tax of 7*l.* 10*s.* to his own Government; and his trade was free. He (Mr. Ewart) believed that our paper manufacturers were undersold abroad, notwithstanding that a drawback was allowed on the paper which was exported. This disadvantage he could only attribute to interference with the trade. If emancipated, it would probably expand into full freedom, like the glass trade. Even now it had a latent tendency to do so. A manufacture of paper from straw had been begun; and he believed that boxes, now made of wood, would frequently be made of paper, if our manufactures were unshackled. But there was, in his mind, an insuperable objection to this paper duty, and these paper fetters altogether. They formed a tax and a burden upon the literature of England. He believed that two-thirds of the paper manufactured were used for the purposes of printing. There was also this anomaly in the duty: much of our paper (especially the paper of which newspapers were made) was formed out of the sweepings of our cotton and flax-mills. There was no duty on these articles as raw materials; but they paid a duty when they entered the paper trade. Turn cotton into calico, it was duty free; convert it into paper, it was taxed. The effect of the repeal of the duty on almanacks (already adverted to by him) was an instance of the effect of repealing a duty upon literature, however lowly. But he held the mere duty on paper not to be so great an evil as the

intermeddling with the paper trade. If these domestic restrictions were removed, our language and our literature would naturally expand. From the extension of our commerce, and the commerce of the United States, the common language of both nations had a natural tendency to become the mercantile language of the world. Let us render justice to our national language and our national literature, as well as our national commerce. He next turned to an impost on a common article of great and increasing importance—he meant the Excise duty on bricks. In this case, as in the case of soap, there was no duty on the manufacture of Ireland. Indeed, comparatively, there was scarcely any duty in Scotland, since nature had provided Scotland with an ample supply of valuable stone. But where the duty did fall in Scotland, it was, by comparison, the more oppressive. This duty was originally imposed by Mr. Pitt in 1784, to meet the exigencies of the debt created by the recent war with America. At first it extended to stone, as well as to bricks; but the stone interest was successful in its rebellion against the duty. Mr. Pitt was obliged to yield. He left the brick duty alone remaining; but he acknowledged the impolicy and the partiality of its character. In fact, he (Mr. Ewart) maintained that this was, in the language of the Commissioners of Excise Inquiry, "among the most objectionable of the duties of Excise." The same Commissioners also condemned certain restrictions which affected the spirit trade. It was hard that a general dealer should have any minimum imposed as a limit on the quantity he was allowed to sell; yet so it was. He could not (Mr. Ewart believed) sell a smaller quantity than two gallons. The Commissioners recommended a reduction and equalisation (throughout the three kingdoms) of the duty. Ireland ought in this, as in other respects, to enter on her common liabilities of impost. Give her every (the minutest) privilege which we enjoy; but, with her privileges, let her share our burdens. But there was one point of view in which he deemed many of the Excise duties especially obnoxious—he meant, in their effect on science and on art. They barred the way to the explorations of science, and the inventive power of art. From the repeal of such duties new and unexpected developments arose. When, more than twenty years ago, the duty was repealed on salt, a new chemical manufacture was at once created. Soda, before produced from the kelp of the Highlands or the barilla of Spain, began to be derived from common salt. At Liverpool, and elsewhere, new manufactories arose; a new trade was created. On the same principle, it was shown before the Commissioners of Excise Inquiry, especially by Mr. Fincham, that the existing restrictions on the glass trade had obstructed the application of science to the making of glass. Lenses for telescopes, ordered by foreigners in this country, could not be made, because of the restrictions of the Excise. It was also shown that these restrictions prohibited the experiments of science in the manufacture of soap. Since the glass duties had been abolished, how great had been the development of that most beautiful fabric! The window of every glass shop indicated that science and art combined to improve and to embellish it. Few would suppose that there was a connexion between the arts and the making of bricks; but he remembered that when it was asked in a Committee (on the connexion of art with manufactures, of which he (Mr. Ewart) was chairman, in 1836) why we did not make bricks of various shapes, as in the time of Henry the VIIth and Henry the VIIIth, the answer was, that the restrictions of the Excise prevented us. He found this evidence singularly corroborated by the valuable testimony of Mr. Wood, the chairman of the Excise Board in the last Session of Parliament. That Gentleman, in his evidence before the Committee of the House of Lords, on "The Burdens on Land," stated that some of the Excise regulations on the manufacture of bricks had been relaxed, and that "the consequence of this alteration was, that great facility had been given for making bricks of ornamental shapes, and enabling architectural ornaments to be made in brick, previously in effect prohibited." He (Mr. Ewart) had no doubt that so ordinary a trade as the brick trade, when emancipated, would be made still further obedient to the purposes of art. He had limited the foregoing suggestions to duties of Customs and Excise. He admitted the injustice and impolicy of other duties also. The window duty was one of a most unequal and impolitic character. The insurance duty was a tax on the foresight of the parent and the resources of the family; and other duties were, in various ways, objectionable. But he principally assailed those duties which obstructed or choked up the sources and

springs of labour. There was, however, one class of duties which bore so unequally on the less wealthy classes, that he would briefly refer to them—he meant the stamp duties. It appeared in evidence before the Lords' Committee on Land Burdens, last year, that the—

£		£	*s.*	*d.*	
Stamp duty on a sale of land of	50 value was	12	10	0	per ct.
Ditto on a sale of	100 "	5	0	0	"
Ditto on a sale of	300 "	2	10	0	"
Ditto on a sale of	500 "	1	14	3	"
Ditto on one above . .	500 value, only	1	0	0	"

So, in the case of mortgages, the law prevented the poorer individual from obtaining equal facilities with his more wealthy fellow-countrymen.

£		£	*s.*	*d.*	
The stamp duty on a	50 mortgage was	2	0	0	pr. ct.
Ditto on a .	20,000 ditto	0	2	0	"
Ditto on a .	100,000 ditto	0	0	6	"

So that, as Mr. M'Culloch stated, the duty on the mortgage for 50*l.* was eighty times as great as the duty on one for 100,000*l.* These duties, however, he only alluded to collaterally, as showing how much the whole subject of our present system of taxation deserved the attention of the Government. He reverted to his main object, the indirect pressure of the duties of Customs and Excise; and he wished the House to consider them in another aspect, their effect on the morals of the people. He had partly referred to their immoral influence in his view of the tobacco trade. In the soap trade, in the paper trade, in the spirit trade, fraud was proportionately prevalent. It was the inevitable result of a heavy system of indirect taxation. But he had found in one of their own Parliamentary documents an admission respecting the immoral influence of the Customs duties, for which he had not been prepared. In the year 1844, in consequence of extensive frauds in the Customs department, involving the characters of its officers, a Commission of revenue inquiry was appointed. The following was a part of their report, bearing the signatures of G. H. Somerset, W. E. Gladstone, W. B. Baring, J. M. Gaskell, A. Pringle—all, at that time, Ministers of the Crown:—

" In respect of the great revenue articles of tobacco, spirits, and wine, as well as of many imports on which high duties are leviable . . . . sufficient disclosures have been made to show that the fraudulent trader has not failed to avail himself of any means of increasing his profit to the detriment of the revenue; and that officers were easily induced to facilitate such attempts *by every mode of deceit and every description of falsehood.* Indeed, we were forced, very early in our inquiries, to feel a distrust of the integrity of the officers, and of *the efficiency of the system.* The previous high character and estimation of an officer appeared to be no guarantee for his honour and integrity."

So much for the moral influence of indirect and overstrained taxation! As to the relative cost of the two systems, he (Mr. Ewart) maintained that a direct tax on property would be far more economically collected than a great portion of the present taxes. He thought that this might be inferred from the relative percentage cost of the different sources of revenue, as given in the ordinary finance accounts annually laid before Parliament. Taking the finance accounts just printed for 1847, he found that—

	£	*s.*	*d.*	
The cost of collecting the Customs duties was . .	5	11	10	per cent.
Ditto the Excise	6	0	10	"
Ditto the Taxes, Land . .				
Ditto, . . . Assessed .	3	6	4¾	"
Ditto, . . . Income .				
Ditto, . . . Property .				

So far, therefore, it appeared that the direct revenue of the country was raised more cheaply than the indirect revenue. This result would probably appear more manifest, if the revenue accounts gave any means of separating the property tax from the land and assessed taxes. But this they did not do. Now he (Mr. Ewart) maintained this proposition—that, as the capital of the country yearly, and even daily, increased, the collection of a large part of the revenue derived from it must become cheaper and cheaper to the public. Accumulated capital must be invested. If invested, whether in mortgages, canals, railways, or any other public undertakings, it could be taxed *in transitu.* In such cases, no staff of officers was required, no interference with trade. The Government gathered its revenue as the profits passed out of the subject of investment into the purse of the recipient. It might indeed be objected that a more direct system of taxation would drive British capital into foreign countries. He admitted this objection; and he thought that some effective mode of taxing profits on foreign investments was just and necessary, and not impracticable. Looking beyond our own country, or rather to its lasting welfare as combined with the welfare of all the world,

he hailed a diminution of our system of indirect taxation as a great financial instrument of international peace. Let him be allowed to quote, on this part of the subject, the address of the Free-trade Association of Bordeaux to Lord John Russell:—

"When (they say), in the beginning of the last year, Sir Robert Peel presented to the British Parliament his great commercial measures, he expressed his belief that England's example, as regards free trade, would be followed by other nations. Sir Robert Peel's speech had no sooner reached Bordeaux, than it produced a deep sensation, and a general desire of making further and more vigorous efforts to obtain the adoption in France of the principles of free trade."

He (Mr. Ewart) rejoiced to hear such language from one of the leading interests of a great country, with which the sympathy produced by congenial institutions, and, he believed, the will of Providence, tended to unite us, interrupted in vain by the force of hereditary prejudice and the mischievous meddling of diplomacy. Let us, then, take freely the wines of France; and let us, on the same pacific principle, admit the tobacco of the United States, strengthening the bonds which already connected our land with theirs, and adding the produce of Virginia to the cotton and corn of their southern and western districts. So, bind Holland to you by the bonds of peace, and let her dairy produce feed your impoverished people. The ever memorable words of Mr. Pitt recurred to his mind; they were those with which he introduced his commercial treaty with France:—

"To suppose that one nation is to be unalterably the enemy of another, is weak and childish. It neither has its origin in the experience of nations, nor in the history of man. It is a libel on the constitution of political societies, and supposes the existence of diabolical malice in the original frame of man."

On all these grounds he (Mr. Ewart) intreated the House to explore and see if they could not amend, with benefit to the poor, with benefit to commerce, with benefit to the nation and the world at large, their system of taxation. The labour which they taxed was the most sacred part of the property of this country. Accumulated wealth ought to bear its part. It would do no harm if something were detracted from superfluous luxury, to add something to productive labour. He thought that even the artificial habits of our richer classes might be made more simple and more frugal, if they bore a more equal share of the general taxation. Finally, he asked for no sudden and dangerous, but for a wise and well-considered change. The aridity of the subject might have wearied an unwilling audience. He knew not how he might be answered in the House or in the country. Whatever were the issue, he sought for consolation (and he found it) in what he believed to be the soundness of his principles, and what he knew to be the purity of his motives. The hon. Gentleman then moved—

"That it is expedient that a more direct system of Taxation on property should (as far as possible) be substituted for the indirect system (by Customs and Excise Duties) now in use:

"That such a change would, by removing restrictions caused by the Excise, encourage trade, and the free application of science to trade:

"That, by removing the restrictions caused by Customs Duties, it would extend commerce, and be the most natural means of prolonging the peace, by promoting the intercourse, of the world:

"That it would be highly beneficial to the poor, (who now pay the great mass of indirect Taxation,) by giving them more abundant means of subsistence and of employment; and would tend generally and finally to the good of all classes of the community."

The CHANCELLOR OF THE EXCHEQUER felt confident that he expressed the opinion of the whole House when he said that it was quite unnecessary for the hon. Member (Mr. Ewart) to say anything in defence of the purity of his motives. He believed that there was no man who stood less in need of any defence on that score, as every one knew the disinterested motives which always actuated his hon. Friend; and certainly it was impossible to overrate the importance of the subject he had brought before the House. At the same time, he hoped his hon. Friend would not consider it any disrespect to him if he declined to follow his hon. Friend into the details of the various points he had brought under the notice of the House, relating to almost every article of taxation in the Customs, the Excise, and the Stamps and Taxes. It was evident that in the course of next Session it would be his duty to bring before the House the subject of taxation—that it would be indispensably necessary to deal one way or another with one great item of taxation—he meant the income tax; and that it would then be for the House to consider the question of the permanence, and perhaps the increase of the system of direct, as contradistinguished from indirect taxation. It would be obvious, therefore, to every one, that it would not be proper on the present occasion to say anything which would indicate the course which—supposing that he continued to hold his present

situation—he might consider it his duty to take on this question. His hon. Friend had satisfactorily proved that there was no tax against which some plausible objection might not be made; and he was certainly not sanguine enough to expect that he would be able to do what so many of his predecessors had failed in doing—he meant make taxation of any kind palatable. He assured the House, however, that it was his anxious desire to see our taxation put on a footing the least oppressive to those who paid the taxes; and to foster industry and commerce to the greatest degree of which they were susceptible. Beyond this general explanation he thought it better to abstain from saying more on the present occasion; and after the full and able way in which the hon. Member had submitted his views on the subject of taxation, he thought it very desirable that the subject should not be prolonged.

Mr. R. YORKE trusted that after what had just been stated by the Chancellor of the Exchequer, the hon. Member would withdraw his Motion, and permit the House to proceed to the business of the evening.

Mr. HUME said, that as the business of the evening was to vote away the public money, it was of great importance to consider how the taxes should be levied from the public; and, therefore, he thought his hon. Friend had taken a most appropriate step in introducing his present Motion. He (Mr. Hume) thought the time had come when the House ought to consider how they could raise the largest amount of money at the least expense. He had no doubt that the Chancellor of the Exchequer must be desirous to be relieved from the importunities to which he was subjected with reference to particular taxes, especially Excise taxes. Nothing could be more unsatisfactory than for a Legislature which professed a desire to improve the moral condition of the people to keep up a system of taxation which created immorality every hour of the day, and which the Chancellor of the Exchequer, with all his power, could not put down. His hon. Friend, therefore, had done right, he thought, in bringing the subject before the House, and in giving an opportunity to hon. Members to express their opinions on it. It was true the question would come before another House of Commons; and his principal reason for rising at that moment was to say that it depended on the people themselves whether any improvement should take place. If the people sent Members into that House without instructing and requiring them to reduce the expenditure of the country, the fault was their own if it was not reduced. It had been said a league was formed to put down the Excise duties. He wished them all success; but they would do well to look to what had been done by the Anti-Corn-Law League. Let them look to the elections that were coming on, and make a point of supporting no candidate who would not pledge himself to a reduction of taxation, as well as a change in the mode of taxation. He believed that great injury was done to trade by the manner in which taxes were at present collected. No individual, for instance, could employ himself in the burning of bricks without being liable to be brought under the lash of the Excise. Then there were the restrictions on the manufacture of paper. He saw no reason why this country should not manufacture paper for the whole world, seeing we possessed such natural facilities for it; and yet the vexatious interference of the Excise prevented this being done. He hoped, that in whatever changes were contemplated by the Chancellor of the Exchequer, the abolition of the duties on paper, soap, and bricks, would be included. He would also recommend an early consideration of the reduction of the expenditure of the country. The income of the country, he felt confident, was at present diminishing every hour. It was impossible, from the state of manufactures, but that the revenue derived from the Excise duties must be diminishing. Why not, as one item, withdraw our naval force from the coast of Africa, where it was of no use? This would be one important reduction; and there were many others which might be effected with equal advantage.

Mr. WILLIAMS fully concurred in the necessity of an alteration of a system of taxation by which upwards of fifty millions per annum was taken from the pockets of the working classes. The hon. Member for Montrose had talked of bricks, and soap, and paper; but the tax on those articles only amounted to 2,000,000*l.* sterling. It was not such matters, but the expenditure of the country which ought to have the first consideration of the Government. What was the state of the expenditure when the right hon. Baronet the Member for Tamworth laid before the House the estimates for 1835? Why, it was 7,000,000*l.* sterling less than the estimates of this year. He should like to

know from the right hon. Gentleman the Chancellor of the Exchequer some reason for this vast increase. Nor would he take the year he mentioned alone; an average of five years would show an equal increase. Let them return to the expenditure of 1835, and they would save not only the duty on the three articles on which the hon. Member for Montrose laid such stress, but the income tax besides. He begged to remind the Chancellor of the Exchequer that in all reductions of taxes which had hitherto taken place, the revenue had never fallen off more than a third on the particular article reduced; generally much less, and often there was no loss at all; and therefore the right hon. Gentleman might reduce taxation without fear to a great extent contemporaneously with a reduction of expenditure. The country had therefore a right to call on the Government to reduce the expenditure. Why not go back to that of the year he had taken for an example? But it would appear that the country was always to be governed by a wasteful extravagance of expenditure. He remembered when Lord Grey's Government succeeded that of the right hon. Member for Tamworth, a reduction of 1,000,000*l.* sterling was made in the estimates; but the present Government, in replacing the right hon. Baronet, made no such efforts. In speaking of the taxation, it must always be remembered that the sums dealt with in Parliament was the net amount; the cost of levying the taxation, which amounted annually to 4,500,000*l.*, in its progress from the taxpayer to the Chancellor of the Exchequer, was always deducted. This was a state of things the present Government, or at least the leading Members of that Government, had declared, by a resolution signed by themselves, to be most injurious to the public interest; yet, when the hon. Member for Bolton brought forward his Motion to abolish or mitigate the evil, they voted unanimously against it. The working classes were the consumers of the principal articles of taxation, and he would say that such an enormous reduction from their hard-earned wages could not long be submitted to. The hon. Member for Montrose said that the people had it in their own hands, and that they ought to reject all candidates who would not pledge themselves to reduce the amount and alter the manner of taxation; but, unfortunately, the people had no such power; and until they had a more extended power in their hands there was no hope for them. He would ask, were labouring men to toil and sweat, and experience the greatest possible difficulty in providing for themselves and their families, and then have more than half their wages taken from them in taxes on the necessaries of life which they could not avoid paying? He would not then detain the House by any further remarks, as he understood that this Motion was to have no result whatever. He could have wished the hon. Gentleman (Mr. Ewart) had brought forward his Motion in such a way as to test the opinion of the House; but that could not now be done, as the Chancellor of the Exchequer had given them a hope that he would revise the system. He hoped next year the right hon. Gentleman would redeem that pledge; but he confessed, from the experience of the past, he had no sanguine hope that that pledge would be redeemed. The time, however, was coming when the present state of things would no longer be endured.

COLONEL SIBTHORP remarked, that the hon. Member for Coventry was so constantly declaiming on the subject, and was so dissatisfied with every item in the way of expenditure, whether by the late or the present Government, that he (Colonel Sibthorp) had become convinced that he would never be satisfied until he became Chancellor of the Exchequer himself.

MR. EWART said, that believing good would be done by the public attention being called to the subject by the present discussion, and being desirous that the subject should be fully considered by that House and the public, he begged in the meantime to withdraw his Motion.

Motion withdrawn.

House in Committee.

SUPPLY—THE MINT.

On the question, that a sum of 77,806*l.* be granted to defray the expenses of the Mint,

MR. HUME complained of the great expense of this department. From a return lately laid upon the Table of that House, it appeared that for the recoinage of 11,000,000*l.* the public had been subjected to a surcharge of 43,000*l.* He was anxious, therefore, to see this department placed in a condition in which so large an expenditure would not be incurred; and he had determined to oppose any further proceeding without an inquiry—seeing that the public were put to an unnecessarily large expense, and believing that the establishment did not answer the purpose for

which it was intended—and it was with great reluctance that he had come to the determination not to press his Amendment. He contended that they were not warranted in paying away such large sums for an establishment which ought to maintain itself. In France, in America, and in many other countries, the Government was put to comparatively little expense in connexion with the coinage. In a former Session a Committee was appointed to inquire into the mode of transacting business at the Mint, and the evidence taken before that Committee established the existence of abuses which it would be easy to remove. It would afford him pleasure to know that every ounce of silver imported into this country was coined into British crowns, and he knew of no reason why the circulation of such a coinage throughout the world should not be co-extensive with the commerce of England. In the present state of public business, he would not oppose the vote before the Committee; but he hoped that the Government would direct its attention to the points to which he had adverted.

Mr. SHEIL said, that the Committee to which the hon. Member for Montrose had alluded, and which sat in 1837, made no report to the House; if, therefore, they discovered the existence of any abuses in the management of the Mint, they had left no record of their opinion on the subject. Should the hon. Member be disposed to move for the reappointment of the Committee, the Government would offer no objection to the proposition. It was true that in other countries the expense of the Mint was not so great; but, as Sir T. Atkinson had well stated before the Committee to which he had alluded, neither were salaries generally so high in those countries. At all events security to the public property had been obtained, and that he thought a great point. He did feel that some improvement might be made in the appointment of officers and apprentices ; but the circumstance that no loss had ever been sustained by the public, notwithstanding the enormous sums which had been coined, ought not to be lost sight of by any Committee which might be appointed.

Mr. HUME disclaimed the intention of impugning in the least degree the integrity and honour of the officers of the Mint; all he complained of was the system which permitted those parties to overcharge the public 43,000*l.* in an account of 67,000*l.*

Mr. SHEIL was happy to find that the hon. Member intended to cast no imputation on the moral character of the officers of the Mint, which stood as high as that of any persons employed in other departments of the Government. The hon. Member complained of the coinage of 11,000,000*l.*, having cost 67,000*l.*; but in 1774 the coinage of 15,000,000*l.* cost 758,000*l.*

Mr. HUME observed, that since the period referred to by the right hon. Gentleman, the Mint had been supplied with improved apparatus, at an enormous expense.

Mr. WILLIAMS said, the objection was that the Mint was in the hands of a private company instead of that of Government; and that, therefore, there was no necessity for an inquiry. The importance of the Government having this in their own hands was perceptible, when they looked at any great crisis, such as that in 1825, when the demand on the Bank of England for coin was so tremendous. No doubt the Mint did make as much exertion as it was possible to be made, and coined an immense quantity of gold in a short time; but it ought to be in the hands of the Government. As to the security talked of by the right hon. Gentleman, no doubt it would be as secure in the hands of Government as in that of any private company. He hoped that the Government would direct its attention to the subject.

Sir G. CLERK said, the hon. Member for Coventry talked as though they were at the mercy of a private company when a large issue was required; but he thought the experience of the period of 1825 showed that company as anxious to do its duty as any one could be. They were merely contractors; and the system in this country was the same as that in France, Holland, and in all others, except, he believed, the United States. They contracted for the expense of the fabrication of the coin; that contract might be too advantageous to the contractor; and, if so, that, he conceived, would be a question for the Master of the Mint to consider. The hon. Member for Montrose had talked of the charge on coining 11,000,000*l.*; and no doubt if that sum were coined every year, it was possible the price would bear reduction, but the quantity and period of work was uncertain. There might be intervals of months or years without work, and during all that time the contractors had a large capital lying unproductive.

Mr. HUME did not know of any capital. Formerly they used public materials for their private assays, but that had been

done away with. That they had a large capital sometimes lying dormant required explanation, and perhaps the right hon. Baronet, who had been Master of the Mint (Sir G. Clerk), would enlighten the House on that point.

SIR G. CLERK referred the hon. Member to the evidence taken before the Committee for information on the point.

MR. SHEIL said, that the company were obliged to keep up their machinery, and to pay the wages of a number of skilful artisans during the time they were not engaged in coining. With respect to the question generally, he did not hesitate to say that it would be matter of future consideration for the Government whether some useful modification might not be made in the existing system.

MR. THORNELY wished to know whether any progress had been made in the coinage of two-shilling pieces?

MR. SHEIL had consulted the Chancellor of the Exchequer, who was officially more responsible than himself as to the form the coin should assume, and the right hon. Baronet had promised to give his attention to the subject. He (Mr. Sheil) had given instructions to the engraver to be in readiness, should it be determined to coin two-shilling pieces.

MR. HUME said, that as the hon. Baronet opposite (Sir G. Clerk) did not reply, he should beg to ask the present Master of the Mint what capital the moneyers were compelled to employ?

SIR G. GREY said, if the hon. Member were to refer to the evidence taken by the Committee, he would find they were obliged, in addition to the charges alluded to by the right hon. Gentleman (Mr. Sheil), to keep a quantity of material always ready. If they were to take an average of ten years, they would find that each of these persons received a sum which was not much for their risk and trouble.

MR. HUME: That was not the point. All the material was supplied at the public expense. He knew of no capital or risk with which they were concerned.

MR. WILLIAMS said, it was quite absurd to talk of their keeping a stock of bullion; they merely coined that which was put into their hands by the Government or by private persons, and made a charge on it. He ventured to assert, that those individuals divided annually profits to a larger amount each than the salary of the Master of the Mint—a high officer of State, and often a Cabinet Minister. Why this was, he did not know, for they could do nothing without the superintendence of the Master of the Mint.

Vote agreed to.

SUPPLY—COMMISSIONERS OF RAILWAYS.

On the question that 17,000*l.* be granted for the salaries of the Commissioners of Railways,

COLONEL SIBTHORP said, that, preferring duty to dinner, he had remained in the House purposely to oppose this vote. If these Commissioners must have 17,000*l.* a year, let it come out of the pockets of the railway companies. Heaven knew they made money enough.

MR. HUDSON agreed with the hon. and gallant Member in thinking that the public ought not to be called upon to pay this charge; but he could not concur in the suggestion that it should be transferred to the railway companies. The Commissioners were appointed on the recommendation of a Committee which sat at the end of last Session, and of which he had the honour to be a member; but he disapproved of the recommendation of the Committee, and the experience furnished by the working of the Board convinced him of the propriety of the objection he originally entertained with respect to it. The Committee of the Board of Trade was as useful for all purposes as the present Board could be. But if the appointment of the Commissioners were necessary, the sum they were paid was enormous. In appointing the Commissioners, the Government took no trouble to select men who possessed any knowledge of the railway system. The right hon. Gentleman opposite was the only one of them who could be supposed to know anything of the subject; but one of his Colleagues was a gentleman who had distinguished himself as an Indian judge; and the other was a noble Lord. Persons connected with railway undertakings could not respect the decisions of a Board, the members of which—with the exception of the Chief Commissioner, who, by travelling frequently between Derby and London, knew what a railway was—were totally unacquainted with the subject to which they were required to apply themselves. Their remuneration, however, was excessive under any circumstances. The duties which he performed in connexion with railways were more onerous than those which devolved on the Commissioners, and he was able to execute them without any

assistance. The expenditure of the country had gone on increasing since 1836; and it had become necessary to object to every fresh item which was not indispensably necessary. He thought that 8,000*l.* a year, instead of 17,000*l.*, would be quite enough for the expenses of the Board.

The CHANCELLOR OF THE EXCHEQUER said, if the estimates were examined, it would be found that the expenses of the Board did not exceed 12,000*l.* a year. Nor could he agree with the right hon. Gentleman in thinking that the members of the Board were overpaid. All the public men who had been in the public service during the last twenty years had not put so much into their pockets as had a few gentlemen who, with great skill and integrity, no doubt, had managed railways during the last few years, as the right hon. Gentleman himself had done. The Board was constituted with the full assent of the House and of the Committees both of that House and of the House of Lords, who had investigated the subject; nor did he think that the public generally would either think that Board unnecessary, or that the appointments themselves had not been judiciously made. The object was to get gentlemen to constitute it who were unconnected with railways, and who would be free from the suspicion of partiality. He believed that they had discharged their duties to the great satisfaction of the public, and that, so far from the public money having been wasted, it had been expended for the public benefit. He begged also to observe, that a great portion of the staff of the Railway Board consisted of those officers who had been transferred from the railway department of the Board of Trade.

COLONEL SIBTHORP thought that the time of the Railway Board would be well employed in seeing how far compensation had been and should and could be given by railway companies in cases of melancholy accidents, such as that which had recently occurred on the Shrewsbury and Chester Line.

MR. STRUTT reminded the hon. and gallant Member, that such cases had been already provided for by the Death by Accidents Compensation Act, which, among other things, gave to the survivors of persons killed a right to recover from the company, which they had not had before. With regard to the accident on the Shrewsbury and Chester Line, the Railway Board had thought it so important, that, besides the officer of engineers, who had, in due course, proceeded officially to investigate it, they had thought it right to associate with him an eminent civil engineer; and they had chosen Mr. Walker, than whom a more fit person could not be found. They had also communicated with the Ordnance aud the Admiralty; and those departments had also sent persons to assist in the inquiry. With regard to the expenses of the Board, he begged to observe, that the duties performed by the department were now much more onerous than they were six months ago under the Board of Trade, in consequence of the additional railways authorized by Parliament.

MR. HUME approved of the establishment of the Railway Board, but thought the expenses more than they need be.

MR. WILLIAMS observed, that the expenses of the Board of Trade, notwithstanding the business that had been withdrawn from it, exceeded by 445*l.* this year what they were for the year 1846.

The CHANCELLOR OF THE EXCHEQUER hoped the discussion would not be proceeded with. A more fitting opportunity would occur when the new Railways Bill came before the House.

MR. HUDSON agreed that this was not the proper occasion for the discussion. He admitted he was wrong as to the expenses of the Board; but he thought even 12,000*l.* a year too much. He doubted whether the inspection and certificate of any Inspector General could be a sufficient protection to the public in cases of bridges and other works on the lines. As to what the right hon. Gentleman had said on the subject of the profits of those who had managed railway companies, he could only say, that if he had won any prizes, it had not been as the salaried servant of any company; at least, his salary from any company had not exceeded 100*l.* a year.

MR. HUME inquired whether it was true that third-class passengers were obliged to stand, like cattle, in the carriages, notwithstanding the arrangement of last year?

MR. STRUTT said, all the Railway Board could do was to see that the law was enforced. By the Act of last year, companies were compelled to run one train per day with seats at 1*d.* per mile. That Act, he believed, had been strictly complied with throughout the country. But it was quite competent to the companies to run other third or fourth class trains—as, on one line, there was a train at ½*d.* a

mile—at any rate of cheapness, on the condition, if they chose, of not providing seats. Over such arrangements the Commissioners had no control.

Vote agreed to.

SUPPLY—PUBLIC RECORDS.

On the question, that 12,812*l.* be granted for the expenses of the Public Record Department,

MR. PROTHEROE hoped to hear that some measures were being taken to provide a place of permanent deposit for the public records: they were at present placed part in that filthy old building the Chapter-house of Westminister Abbey; part next the powder magazine in the Tower, and in the old Riding-house of Carlton Palace; in all these places they were extremely insecure, and might be destroyed at any time. They contained some of the most curious and valuable documents in Europe; and, even if considered as mere public stores, they deserved to be kept in some place of security. If a building should be constructed for them, he hoped the style of architecture adopted would be a simple one, and not the expensive Gothic of the New Houses of Parliament.

The CHANCELLOR OF THE EXCHEQUER said, the subject had been brought under the attention of the Government, but there was some difficulty in finding a site adequate to the purpose. The Government had given up the notion of devoting any portion of the New Houses of Parliament for the deposit of the records, and three or four sites had been mentioned for a building for them. One was on ground belonging to the Rolls estate; but, however desirable it was to remove the records from their places of deposit, it nevertheless required some time to obtain possession of the ground. He could only say, the subject was under consideration, and steps were being taken to obtain that site which was, on the whole, most desirable.

DR. BOWRING suggested that the Government should make a collection of the records connected with the earlier periods of the history of the country. Every nation in Europe had made some progress in collecting such old historical documents; France had made a collection of this kind, and M. Guizot paid great attention to the subject; Germany, Italy, Denmark, and Sweden, had taken advantage of this period of peace and tranquillity to apply themselves to the same public purpose. He did not know whether the Government had come to any determination on the subject, but it was a matter looked on with great interest by literary men; much surprise had been expressed that countries possessing inferior treasures had done much more than England to gather together the elements of historical knowledge.

MR. PROTHEROE thought it was a great error in the Record Commission to have commenced publishing too soon. They began to print before they knew what they possessed. The records were now being arranged, and it would be known what the country really had. The Commission at first published old calendars, and began series of records afterwards found to be imperfect. He trusted, when all the records were arranged, the Government would think it worth while to devote a sum of money to publishing a selection from them.

The CHANCELLOR OF THE EXCHEQUER could not give the hon. and learned Gentleman any information on the point, having had no notice of the question. He thought the suggestion a good one; but he could not commit the Government to any particular course respecting it.

Vote agreed to.

SUPPLY—GOVERNMENT OF IRELAND.

On the question that 6,464*l.* be granted to defray the expenses of the officers of the household of the Lord Lieutenant of Ireland,

DR. BOWRING said he should object to one of the items included in the vote. He thought it both unreasonable and inhuman, when the people of Ireland and Scotland were dying from starvation, to grant 1,574*l.* for a Queen's plate to encourage horse-racing. He therefore hoped that the House would object to this part of the vote.

MR. LABOUCHERE thought the argument of the hon. Member was altogether *ad captandum*, and made merely to catch popularity. The hon. Gentleman might have selected the vote for the Ulster King-at-Arms, or York Herald, or any other expense for the pomp and state of the office of Lord Lieutenant, and ask the Committee on the same grounds to refuse it. However *ad captandum* that argument might be, he did not think it ought to be yielded to. The question was, whether the vote was a proper expenditure of money or not. If it was not, then, without any reference to the circumstances of Ire-

land, the House ought to stop it; but the existing distress was no reason why the House should cease to give what it had been accustomed to give for a laudable and proper object. In England various plates were given by the bounty of the Sovereign to encourage horse-racing, out of the civil list; this was formerly the case also in Scotland and Ireland. But the Committee of 1832 transferred the civil list of those two countries to the annual estimates, and the same Committee thought 1,500*l.* not an enormous sum to be applied to this purpose. To retrench the sum in Ireland, while it was continued in England and Scotland, would not be a popular proceeding. In Ireland, not only the gentry, but the people down to the lowest class, took great interest in the races. They afforded them a very harmless amusement, and, notwithstanding the hon. Gentleman's appeal, he hoped the Committee as well as all other Committees had done, would sanction the vote.

Mr. WILLIAMS had expected to hear stronger reasons than those given by the right hon. Gentleman for taxing the people to support horse-racing and gambling. Suppose he had proposed a vote for dog-fighting, and badger-baiting? Both these practices encouraged gambling. He should propose that the vote be reduced to 4,964*l.*

Vote agreed to.

On the question that 22,788*l.* be granted for the Chief Secretary's and Council officers (Ireland),

Mr. HUME said, though particular circumstances prevented him at present, he would as soon as possible take the sense of the House on the propriety of continuing to maintain the office of Lord-Lieutenant of Ireland. Eighteen years ago the House divided on the question, and the abolition of the office was negatived by a majority of only 20. One of the grand mischiefs of Ireland was this delegated authority: the country should be placed on the same footing as Scotland, and treated in the same manner; and they would remove the cabals that had hitherto done so much mischief, and give that unfortunate country some rest from political agitation. He believed the Lord Lieutenants had acted like the governors of most colonies, and gathered factions round them. If he should be in the new Parliament, the first Session should not pass without his bringing the question before the House. He was sure there was not a man who wished well to Ireland but would rejoice at seeing an end put to that focus of cabals in that country. He deprecated in every respect the practice of making Ireland a colony, instead of governing it as an integral part of the United Kingdom.

Mr. LABOUCHERE was sure the hon. Gentleman would feel that whatever opinions he might entertain upon this question, the present was not a fitting time for discussing it. He agreed with the hon. Gentleman, that whatever might be the proper system with regard to the government of Ireland, the mere expense of that system was a minor consideration. The only point ought to be, what was most for the benefit of Ireland; but at the present moment it was quite obvious that it would be wrong to enter upon a discussion so wide and important.

Vote agreed to.

SUPPLY—SECRET SERVICE.

On the question that a sum of 39,000*l.* be granted for the Foreign and Secret Service,

Dr. BOWRING complained that from year to year they were called upon to vote the same sum of 39,000*l.* for the Secret and Foreign Department. Was the same sum expended every year? He believed very little service was done for this sum; but it was singular that the same amount should be voted year after year.

The CHANCELLOR of the EXCHEQUER was understood to say that the charge was made on the expenditure of an average of years.

Mr. HUME complained that putting money into the hands of people in this way only encouraged extravagance, and led, perhaps, to the bribery of fellows in foreign countries who were not worth bribing. He believed it was principally, if not entirely, in the foreign service, that this money was expended; and it was most mischievously thrown away, as he had no doubt had been the lately in Portugal.

Mr. WILLIAMS thought the Government ought to satisfy themselves as to whether there was any balance of the sums voted in former years on hand. He might state that there was an impression abroad that a large portion of the Secret Service money was devoted to electioneering purposes.

The CHANCELLOR of the EXCHEQUER, with regard to the last observation of the hon. Gentleman (Mr. William), could state most positively that the impression to which he had alluded was wholly without

foundation. There was a strict oath which every Minister was bound to take, that he would apply the funds with which he was intrusted to their proper and legitimate purposes.

Vote agreed to.

SUPPLY—STATIONERY.

On the question that a sum of 295,513*l.* be granted for the expenses of the Stationery, Printing, and Binding in the various departments,

MR. WILLIAMS complained that this vote, as compared with that of 1845, showed an increase of no less than 68,000*l.*

MR. PARKER said, there was included an item of 11,000*l.* or 12,000*l.*, for compensation to the Queen's printer in Ireland. The only other explanation that could be given was, that there were so many inquiries and commissions, that great expense was incurred in the printing of blue books, returns, &c.

MR. CARDWELL should like to know how much had been expended in printing preliminary inquiries of various kinds, probably caused by parties who would object to this vote?

MR. HUME was anxious to know the expense of printing each separate report. When the hon. Gentleman (Mr. Cardwell) was one of the Secretaries to the Treasury, he wished to know the expense of printing any paper, but could not get it; this showed that the hon. Gentleman really knew very little about the details of his office. He should like to know what trouble the hon. Gentleman ever took to furnish the House with these separate accounts.

MR. CARDWELL was understood to say, that to furnish the House with the cost of each paper would be as expensive as the original printing of the paper itself.

MR. HUME said, the hon. Member would admit that when in office it was his duty to act with regard to the public expenditure as strictly as if he were transacting his own private business. If an account of 295,000*l.* was laid before the hon. Gentleman for printing connected with his own business, would he not think it necessary to ascertain the various items of which that large amount was composed? Yet this was not done here, and it was just the way with all the secretaries together.

MR. CARDWELL thought the observations of the hon. Gentleman were altogether unfounded and uncalled for. If the Stationery Office were called upon to state the expense of each particular paper, it would cause a very considerable addition of expenditure, instead of being attended with the slightest economy. The proper way to keep down expense was for hon. Gentlemen not to call for unnecessary papers and reports.

MR. HUME would convict the hon. Gentleman on his own words, and show that he knew nothing of his own business. It was n t the clerks of the Stationery Office, but the printer, who entered the amount of the expense of papers printed. It was clear to him (Mr. Hume) that when the hon. Gentleman was in office he failed to do his duty.

LORD G. BENTINCK should like to have a return of the expense of all the papers moved for and printed at the desire of the two hon. Gentlemen seated beside each other (Mr. Hume and Dr. Bowring).

MR. HUME had never asked for papers, but with a view to their being used for the public benefit; and he challenged any man to prove that he ever had. There was not a paper he had obtained that he had not made use of. He challenged the noble Lord to show that he had ever moved for a paper needlessly. On Monday he would move, that an account be laid on the Table showing what the amount of each item in this vote was; and he should also move for a return of what the expense of that analysis would be.

SIR W. CLAY considered that more valuable information had been moved for by the hon. Member for Montrose than by any other Member of that House.

DR. BOWRING thought it was very desirable that before an order was agreed to by the House for the printing of any documents, proper inquiry should be made as to whether the papers asked for had not been already on the Table of the House. With regard to the insinuations of the noble Lord opposite, he must say that he (Dr. Bowring) had never moved for a document simply because he had been requested to do so. It was only when he thought that the production of a document would be of public service that he moved for it. The documents which he had moved for had always reference to some Motion either already before or about to be brought before the House. And having said thus much regarding himself, he would venture to say, with regard to the papers which had been moved for from time to time by his hon. Friend the Member for Montrose, that they had been the means of saving not only

thousands, but millions of pounds to the country.

The CHANCELLOR OF THE EXCHEQUER did not think it would be well for the Government to attempt to put checks upon the Members of the House with respect to moving for the production of papers. It would be very invidious for the Government to say to a Member moving for a return, "Your Motion is a very foolish one, and ought not to be granted." It might appear, under such circumstances, that the Government wished to withhold information from the public. He admitted that it would be well if the expense of printing documents already on the Table of the House could be saved; but it would be almost an impossibility. He believed that the expenses in the printing department were as small as they possibly could be made. The work was executed by contract.

MR. HENLEY said, he found that in 1845 the total expense for printing was 226,000*l.*, whilst in the last year it was 295,000*l.* Now, even adding the additional 11,000*l.*, which had been incurred in extra stationery for Ireland, he could not see how the item had increased so considerably. He wished to know whether the Government had been the cause of this increase in the expenditure.

The CHANCELLOR OF THE EXCHEQUER replied, that the increase during the past year in the expense for printing papers for the Government was only 15,000*l.*; the remaining portion of the increase arose from the increased number of Parliamentary Papers printed on the Motions of hon. Members.

MR. ARKWRIGHT inquired whether there was any control or audit in respect to the printing of papers in the Stationery Office? and whether such papers as were printed for the Poor Law Commissioners could be printed by other departments at the public expense?

The CHANCELLOR OF THE EXCHEQUER said, the Poor Law Commissioners were in the habit, under the verbal authority of the Government, of sending their annual reports to the Stationery Office to be printed. Other departments were responsible for their own printing.

MR. HENLEY said, the question of the hon. Member had not been answered. His object was to know whether publications similar to those which had been complained of from the Poor Law Commissioners might be published by other departments of the Government without any check.

The CHANCELLOR OF THE EXCHEQUER was understood to say, that each department was responsible for its own printing, under the authority of the Treasury.

Vote agreed to.

SUPPLY—PRISONERS AND PRISONS.

On the question that 388,000*l.* be granted for county rates, expense of prosecutions, maintenance of prisoners, &c.,

MR. HENLEY said, that the vote now asked for would not defray the expense for which it was intended. It made no provision for the clothing, blankets, or bedding of the prisoners.

SIR G. GREY said, the present vote contemplated two classes of prisoners—those who were formerly maintained by the counties, and those who, by reason of the change in the law, were now confined in the prisons in this country instead of being transported. It would be found that in the estimates for the expense of transports, there was a corresponding diminution of expense.

MR. HENLEY did not accuse the present Government of not having fulfilled the promise held out to the county magistrates. It was the late Government who said that if the counties would provide prison room for transported convicts, the State would defray the expense of the other convicts in the prisons; instead of that, all that was provided was bread and meat, no allowance being made for clothing and bedding. This was a breach of faith, and a very shabby and mean way of carrying out what was originally proposed to the counties as a boon. It amounted to about 2*s.* a head per week.

SIR G. GREY said, the hon. Gentleman was quite right in saying that the present Government was not responsible for this vote; nor was there any record of what was the intention of the late Government in proposing the vote of 40,000*l.*, which it had done in a former year.

Vote agreed to.

On the question that 14,349*l.* be granted for the expenses of the Prison at Parkhurst, in the Isle of Wight, being proposed,

MR. HUME said, that this vote was not only for maintaining boys in prison at Parkhurst, but for afterwards sending them abroad. Now, it appeared to him, that it would be better to send the boys abroad

without any previous prosecution. It was encouraging vice to leave a number of boys idling about the country, and making no sort of provision for them until they had committed some crime.

SIR G. GREY believed that the experiment of which the hon. Gentleman complained had succeeded. Very full reports had been laid before Parliament respecting the conduct of the boys who had been sent abroad from the prison at Parkhurst, and the accounts were of the most favourable character.

MR. WILLIAMS approved of the suggestion of his hon. Friend (Mr. Hume), and thought it would be much better to give the money to the parents, to enable the boys to go out as free labourers and not as convicts, than to await the commission of an offence against the laws, and then, after a certain term of imprisonment, to send them out at the expense of the country as convicts.

LORD G. BENTINCK thought the House ought to have the details of this great, new, liberal plan for taking out all the boys of the country to the penal colonies; and he should like the hon. Member for Montrose to explain this novel proposition.

MR. HUME observed, that none were so dull as those who would not understand. All that he (Mr. Hume) had suggested, was, that instead of leaving the boys in this country till they became criminals, the better plan would be to send them out as free agents, by appropriating the same money for that purpose as was now expended on them as convicts. If this plan were adopted, there could be no doubt that very many boys would be found willing and eager to go abroad.

Vote agreed to.

On the vote of 18,307*l.* for the expenses of the Model Prison, Pentonville, being proposed,

MR. WILLIAMS complained of the expense of this establishment. The costs of the officers for looking after the prisoners, was at the rate of 15*l.* 6*s.* each prisoner in the year. This exceeded the wages paid to a hardworking labourer.

SIR G. GREY said, the expenditure at Pentonville must not be taken as a model of expenditure for all prisons, although it was a model prison.

MR. WILLIAMS thought it remarkable that the labour of 500 prisoners in the Pentonville prison should have averaged only 1½*d.* per day. He had complained of this last year, and the produce of the prisoners' labour appeared to have been doubled in consequence; but it was still far below the produce of labour in the prisons of the United States. He observed that the pay of the persons who taught the Pentonville prisoners was twice as much as the produce of their labour amounted to.

MR. HENLEY said, these prisoners cost 14*s.* a week each for their maintenance, besides 4*s.* rent, which made the cost 18*s.* per head. In the rest of the counties of England the average might be taken at 10*s.* per head. He thought the management of Pentonville was economic. The men being kept on the separate system required a higher diet.

MR. HUME said, it appeared the maintenance of convicts in gaols cost from 12*s.* to 14*s.* a week. What a lesson this was for hon. Members, when they saw poor men labouring from morning to night, and unable to obtain 7*s.* a week! The expense of maintaining prisoners in gaols showed the immense importance of endeavouring, by prevention, to keep them out.

SIR G. GREY was afraid that, under the best system of education, some prisons would be necessary.

MR. HENLEY did not think the experiment of Pentonville worth much as a model prison. The Government took only picked prisoners there, while the counties had to deal with the old, imbecile, &c. The value of the experiment had not been so great as it would have been, had the Government taken the prisoners as they came. It must also be remembered, that many persons thought the separate system had a tendency to injure the minds of the prisoners,

SIR G. GREY might remark, that medical men who had watched the system of separate confinement thought it very successful, and that no more cases of insanity had occurred in the Pentonville prison than were commonly found in persons of the same class of life.

Vote agreed to.

SUPPLY—EDUCATION (IRELAND).

On the vote of 100,000*l.* for Public Education in Ireland,

MR. HUME inquired whether the Commissioners of National Education for that country had presented any report this year?

MR. LABOUCHERE replied, that a draught report was in his possession, and

that it would be laid upon the Table of the House in a few days.

MR. HUME was satisfied, from what he saw last year in Ireland, that the national system of education was working most satisfactorily; and he wished to know why a similar system should not be adopted in this country?

MR. LABOUCHERE felt no hesitation in saying that the experiment which had been made in Ireland with regard to education, had been completely successful. There were, at present, little short of half a million of Protestants and Catholics educated together under the system which had been adopted in that country. He would not, on this occasion, enter into any of those details which were contained in the report of the Commissioners, and which would show the satisfactory operation of the system. He might, however, be allowed to read a short extract from a letter he had received from Ireland on this subject. The writer said—

"We have at present 3,637 schools in operation, attended by 456,410 children. The increase of children within the year is 23,506, and of schools 211. We consider, but have no actual returns on the subject, that fully one-seventh of the children attending our schools are Protestants. Of the schools on our roll, amounting to 3,986, there are in Ulster alone 1,601. We train about 300 teachers each year, and of these nearly one-fifth are usually Protestants. They are educated together without any distinction as to creed, and live together while in our training establishment in perfect harmony."

He thought this brief statement was sufficient to show the House how admirably the system was working.

MR. EWART expressed his gratification at the statement made by the right hon. Gentleman. With regard to the suggestion of the hon. Member for Montrose (Mr. Hume), that the system of national education established in Ireland should be extended to this country, he begged to say that it had been introduced most successfully by the corporation of Liverpool three years ago.

MR. M'CARTHY thought that, in addition to the course of education at present afforded in the National schools of Ireland, it was most advisable to give the poorer classes in that country some instruction in practical agriculture.

MR. LABOUCHERE was glad to be enabled to inform the hon. Gentleman that that object had not been lost sight of. During the last year, the Commissioners of Education had turned their attention to the manner in which they could most effectually promote agricultural knowledge in Ireland; and in the report which they had drawn up, and which would shortly be laid before the House, they afforded every information on the subject. The report stated that they were perfectly alive to the importance of diffusing agricultural instruction in that country; and that, as the result of their efforts, there were now in operation five agricultural model schools, in addition to other schools of an inferior description. This was exceedingly satisfactory; and to offer every inducement to the class through whom the instruction must be imparted, the highest remuneration would be given to teachers conversant with the elements of agricultural science. A practical acquaintance with that science was of consequence at all times, and was especially important at this moment; and he could assure the hon. Gentleman that no exertion would be spared to extend the advantage conferred by agricultural schools throughout the country.

MR. V. SMITH found that in this vote for this year, there was an increase of 25,000*l.* as compared with 1845. It was desirable that the right hon. Gentleman should explain if the increase resulted from the adoption of an improved mode of instruction, or from the necessary extension of the number of schools.

MR. LABOUCHERE stated, that the increase had been occasioned partly by the gradual extension of the system, and partly by the carrying out of an improved mode of instruction, suggested by the Commissioners. There were a greater number of teachers employed, and they were paid at a much higher rate than had formerly been the case.

MR. HENLEY said, he had heard much of the harmonious working of the joint system of education; but he was at a loss to know what proof of it was to be found in the fact, as stated by the right hon. Secretary for Ireland, that 1,600 Protestant schools were established in Ulster alone.

MR. LABOUCHERE admitted, that, while the system of joint instruction did prevail to a considerable extent, it was not so extensive as he could wish, and as he yet hoped to see it.

Vote agreed to.

SUPPLY—NELSON'S MONUMENT.

Upon the proposal that 2,000*l.* be granted for completing the Nelson Monument in Trafalgar-square,

Mr. BROTHERTON thought that this money was quite thrown away.

Mr. WILLIAMS asked whether this sum would complete the Monument?

Viscount MORPETH was afraid that it would not. If carried out according to the full original design, not less than 16,000*l.* would be required to complete the work; but whether they should so complete it, was a question which the Government had still under consideration. The late Government had stated that 12,000*l.* would complete it; but that had been found an incorrect estimate. Only 8,000*l.* had at present been voted.

Mr. BORTHWICK said, that, as it now stood, it might be described as a Doric column with a Corinthian capital. The original design had been altered—the column had been cut down; and the right hon. Baronet the Member for Tamworth had said, that if the original design had been carried out, he could not answer for the safety of Her Majesty's subjects; but if that was so, why had the design ever been adopted? And if the Government were now going to proceed with a design of their own, he should be glad to know whether the column was to be left to preach to posterity the bad taste of the age in which they lived, or whether it was to be pulled down entirely, and a more worthy monument erected to the illustrious hero whom it was intended to honour, but whose fame it really desecrated? It was disgraceful to the nation that such a monument should rise so slowly, and with so much difficulty, to their dead hero, whilst they were crowding their streets with monuments to perpetuate the fame of their living hero.

Vote agreed to.

House adjourned.

HOUSE OF LORDS,

Monday, May 31, 1847.

Minutes.] Public Bills. *Reported.*—Factories.

3ª and passed:—County Buildings; Army Service.

Petitions Presented. From the Mayor, Aldermen, and Burgesses of Nottingham, for the Repeal of the Game Laws.—From Clergymen of Dewsbury, York, in favour of the Factories Bill.—From Independents of Uxbridge, against the proposed Government Plan of Education.—From Guardians of the Stockton Union, for Alteration of the Law of Marriage; respecting the Publishing of Notices of Intended Marriages; and for preventing Secret Marriages.—From Dublin, for the Adoption of Measures for the Suppression of Seduction and Prostitution.

PORTUGAL.

In answer to a question from Lord BROUGHAM,

The Marquess of LANSDOWNE said, that no convention had been entered into respecting the affairs of Portugal. A protocol had been signed by the Three Powers which had before interfered in the affairs of Portugal, namely, Great Britain, France, and Spain, the object of which was the pacification of that unhappy and distracted country, having a due respect at the same time to the constitutional rights of the Throne and of the people of that country. It would not be satisfactory to their Lordships that he should lay upon the Table the papers alluded to by the noble and learned Lord unaccompanied by other correspondence, because such a course would only bring on a permanent discussion. The papers and correspondence upon this subject would be laid before Parliament, and no time would be lost in making that communication as soon as circumstances would justify it, and as soon also as it could be made without injury to the public service.

BIRMINGHAM AND OXFORD JUNCTION RAILWAY BILL.

Lord LYNDHURST moved to name the Select Committee on the petitions respecting this Bill.

Lord REDESDALE rose to move that the order for the appointment of the said Committee be discharged. The directors of the Birmingham and Oxford Junction Railway had presented a petition against their own company; and having lost the confidence of the entire body, now called upon the House to uphold their proceedings. It would be a dangerous thing thus to allow a body of directors to act in opposition to the wishes of the body for whom they were elected to act. He belived that one of the directors had put from 15,000*l.* to 20,000*l.* in his pocket by the sale of his shares, and this gentleman now asked for powers to prevent the persons who had bought his shares from enjoying the privileges and benefits of that purchase. He hoped their Lordships would reconsider the vote they had come to on a former occasion, and discharge the Order of the Day for the appointment of this Committee.

Lord LYNDHURST thought he had reason to complain of the course taken by his noble Friend. It was now two months since the subject came under the consideration of their Lordships, on a petition presented by the noble Earl who was the Chairman of the Committee. The subject was then fully discussed; he (Lord Lynd-

hurst) entered into the details of the case, and the subject was most anxiously considered by their Lordships. There was, then, no foundation whatever for saying that the appointment of the Committee was lightly ordered by their Lordships. He denied that any bad precedent would be established by the course it was proposed to adopt.

Lord BEAUMONT said, that the appointment of a Committee would do no good, for it would not decide the questions pending between these two companies, the North-Western and the Great Western. It was no part of the duty of the House to interpret Acts of Parliament.

Lord WHARNCLIFFE said, if a company was allowed to devote its corporate funds to the purchase of an interest in another railway, it was obvious that the intentions of Parliament could in many cases easily be defeated.

Lord STANLEY said, that he thought it would be unwise to enter into an investigation which could lead to no practical result. It appeared to him that the directors of this railway had pursued a very extraordinary course in first amalgamating and then selling. The directors sold their shares at a great premium, and then they sold the property in which they had parted with their interest to the Great Western Railway. He must deny that the Great Western Company had purchased any shares with its corporate funds. The shares had been purchased in the open market by individuals. As no advantage would be derived from any investigation, he must urge upon their Lordships to reconsider the decision to which they had come for the appointment of a Committee.

Lord ASHBURTON said, that Railway Bills affected the great interests of the country, and, not being like private concerns, the Legislature had a right to demand that a public convenience should be secured. In the present case it was clear that that public convenience had not been secured, and it was therefore most important to see how the intention of the Legislature had been defeated, in order to prevent a recurrence of such mistakes in future. The inquiry was also important, in order that it might be seen whether these great railway companies overstepped the powers conferred by the Act, or neglected its requirements. It was doubtful whether 38,000 out of 50,000 shares had not been purchased by the one party, to control the proceedings of the other; in which case it would be ridiculous to say that the transaction was fair, and that the buyers had the right of private parties thus to purchase. He therefore considered that it was fairly a subject for further inquiry.

Lord BROUGHAM rose to defend the former decision of their Lordships, which had been not lightly arrived at, but was the result of long consideration, in which there was one adjournment for the purpose of inquiring into the matter still further. His noble and learned Friend (Lord Lyndhurst) had stated for the third time, in his usually clear manner, all the arguments and facts upon which the House had arrived at its former decision; and that he considered quite sufficient, or rather, that not a shadow of a reason had been urged for a reconsideration. He also reminded the House, that no circumstances except those of the most insuperable necessity ought to induce their Lordships to set aside any former decision deliberately arrived at; a contrary course would destroy the respect with which their Lordships' judgments ought to be received. There was not in this case the slightest grounds for saying, and he believed it was not pretended to be said, that the former decision had been lightly arrived at; and therefore it ought to be supported and confirmed.

The Earl of WICKLOW considered there was nothing of culpability whatever in the conduct of the Great Western Company; they had only done what the Legislature allowed them. The Committee granted in the first instance had only been granted in consequence of the clear statement made by his noble and learned Friend (Lord Lyndhurst), who moved the appointment of that Committee, and because there was no opposition whatever. He believed that there was not in the first instance the slightest necessity for the appointment of a Committee, and he should therefore vote with his noble Friend (Lord Redesdale).

Lord BROUGHAM explained that there had been an opposition and a discussion on the former occasion alluded to by the noble Earl.

Their Lordships divided:—For naming the Committee 29; Against it 22: Majority 7.

ARMY SERVICE BILL.

Earl GREY moved the Third Reading of this Bill.

The Marquess of LONDONDERRY said, he was under obligations to the noble

Earl opposite for his having postponed, at his request, the third reading of this Bill from Friday to this day. It was rather sharp work to carry it the first day after the Adjournment, and many officers and noble Peers interested not in the House. However, he found that that short delay would have no effect in relieving the Army from deserters or the mischief of this Bill, which he had ever thought so mistaken and injudicious in principle, that he would not attend during the Committee upon the Bill, being satisfied that no change would be accomplished to make it palatable to the profession to which he belonged. He understood that, in the Committee, some important and valuable changes affecting our troops in India, were introduced by a noble Earl (the Earl of Ellenborough) greatly competent to judge of the question; and that had determined him, and probably others, no longer to oppose the measure. He confessed, therefore, under those considerations, that it would be unbecoming in him, having so often trespassed on their Lordships on the subject, to force another division against the opinions of those who had become more reconciled to the Bill, and probably be subject to a smaller division. It appeared also, in Committee. that the noble Duke (the Duke of Wellington) adopted a tone more conformable to the views of the Government than he did in the commencement of this discussion. Still, he must say his Grace's opinions were of a variegated hue; and he did not think he would show or hold any ill-will towards him for respectfully but pointedly protesting against this measure. No argument had been adduced in answer to the great points he had alleged against the Bill. Destruction to the discipline of the Army at the period when the men approached the end of their servitude, when they would become insolent and insubordinate, and would make the good steady soldiers so also, while there was also a great injustice done to the old men; and, as to inducing a superior class to enlist, it was perfectly absurd, and one of those powerful theories on which his noble Grace's legislation seemed to be founded. It was preposterous, surely, to hope that they would remain in the Army if they could get equally good means of living out of it, any more than school boys would stay happily at school. But all those and innumerable other objections had been so much dwelt on, that he would not trouble the House further. Whatever mischief might arise, it was hardly probable, under the will of Providence, that he should live to witness the unhappy results of this measure; but he heartily hoped the noble Earl (Earl Grey) might be spared, and when he saw a tenth annually of 72,000 men, being the average of our colonial force, having the right of their discharge in the colonies, and who must be brought home, he hoped the noble Earl might do him the honour of remembering his prophecies, when he or some less theoretical Minister would then, or probably long before, return to the unlimited service, which was far more in unison with the duties of the British Army than the enlistment for limited periods, which had so often been tried, and had always failed. He was ignorant whether the noble Earl had cast his eyes on the able speeches of Sir H. Douglas in another place: they were printed, and in a small compass, and he would do well to read them. The extracts from the speeches of the Duke of Wellington were very remarkable and fatal documents to the noble Earl's Bill. In conclusion, he owned that he did not envy the noble Earl's feelings in carrying this measure. It had been passed through both Houses by small majorities; it had been squeezed out of a murder which, from various reasons and delicacies, he would not further allude to. It had been passed against the opinion and feeling of all the oldest, most experienced and ablest officers of the British Army. It had been passed in their Lordships' House by the aid of the right rev. Bench, who were manifestly as ignorantly of everything relating to a soldier as the Secretary at War had proved himself to be in his speech, and as the noble Earl had shown himself to be, of the conduct and character of commanding officers of regiments in the service.

Bill read 3ª and passed.

House adjourned.

HOUSE OF COMMONS,

Monday, May 31, 1847.

Minutes.] Public Bills. — 1° Royal Marine Service; Stage Carriages, &c. Duties; Soap Allowances.

2° Trust Money Investment (Ireland); Out-Pensioners (Chelsea and Greenwich).

3° Punishment of Vagrants, &c. (Ireland); Copyhold Commission; Loan Societies; Cemeteries Clauses.

Petitions Presented. By Sir William Clay, from the Parishes of St. George and St. Matthew, London, for Alteration of the Law of Registration of Voters.—By Mr. C. Bruce and other hon. Members, from many places, against the Marriage (Scotland) Bill.—By Sir J. Hope, from Commissioners of Supply and Justices of the Peace for the County of Edinburgh, for Alteration of the Law relating to Exciseable Liquors (Scotland).—By Lord R.

Grosvenor, from Finsbury, respecting Remuneration to Tax Assessors and Collectors.—By Sir G. Grey, from London, for Extension of the Baths and Washhouses Act.—By Lord A. Paget, from Brighton and Wakefield, for Regulating the Qualification of Chemists and Druggists.—By Mr. Cardwell and other hon. Members, from a great many Catholics, for Alteration of the proposed Plan of Education.—By Sir J. Hobhouse, from Nottingham, for Repeal of the Game Laws.—By Mr. T. Duncombe and other hon. Members, from several places, in favour of the Health of Towns Bill.—By Mr. Moffatt, from Joseph Henry, of South Street, Finsbury Square, London, for Inquiry.—By several hon. Members, from a great many places, in favour of the Medical Registration and Medical Law Amendment Bill.—By Viscount Ebrington, from Members of the Chamber of Commerce of the Port of Plymouth, against the Repeal of the Navigation Laws.—By Dr. Bowring, from Retail Beersellers of Bolton, for Alteration of the Police Clauses Bill.—By several hon. Members, from a great many places, against the Registering Births, &c. (Scotland); and Marriage (Scotland) Bills.—By Mr. Masterman, from the Master, Wardens, and Assistants of the Company of Butchers, of the City of London, against, and from several Persons, in favour of, the Removal of Smithfield Market.

INTERVENTION WITH PORTUGAL.

Mr. BERNAL OSBORNE wished to put to the Foreign Secretary a question, of which previous notice would probably not be required—whether the protocol was authentic, which appeared in that day's newspapers, respecting the arrangement entered into by this country with France, Spain, and Portugal, for an armed intervention in Portugal; and whether the noble Lord was ready to lay that protocol on the Table?

Viscount PALMERSTON: I hold in my hand a note which I have received from a noble Lord whom I do not now see in his place—the noble Member for Lynn—giving me notice that he meant to ask that question, and to follow it by two or three other questions upon the same subject. I have no difficulty in answering the question of the hon. Member, by saying that, as far as a hasty perusal enables me to judge, the protocol which appeared to-day in the papers is a fair and proper translation of that which was signed on Saturday week. The hon. Member asks whether there will be any objection to lay the protocol on the Table; and I answer, none whatever. It will be the duty of Her Majesty's Government to lay it on the Table.

Mr. BERNAL OSBORNE wished also to ask the Secretary to the Admiralty, whether it were true that the *Geyser* war steamer had sailed with shot, shell, and other ammunition; and whether it were for the general service of the fleet, or for the reduction of Oporto?

Captain F. BERKELEY: Whatever had been sent out was for the service of Sir W. Parker's squadron.

Lord G. BENTINCK (who had just entered the House): I understand that my first question is answered. My second question to the noble Lord is, whether he is now in a condition to give a history to Parliament of the events, and transactions, and circumstances, which, in the opinion of Her Majesty's Ministers, have justified this armed intervention in the domestic affairs of Portugal? The third question which I have to ask my noble Friend is, whether he can state to the House of Commons the nature of those solemn declarations made in the course of the last summer by the Queen of Portugal to her people, the alleged infraction of which is set forth as the justification of the Portuguese people for rising in arms against the Government of their Sovereign? The last question I wish to ask is, whether the Government are possessed of any new information to the effect that the insurgents, already in possession of the whole country, up to the walls and gates of Lisbon, have been prevented only by the presence and interposition of the British and Spanish fleet from taking possession of the city of Lisbon itself?

Viscount PALMERSTON: In reply to my noble Friend, I have no difficulty in stating that Her Majesty's Government will lay before Parliament, with all possible expedition, papers setting forth the grounds upon which Her Majesty's Government have deemed themselves justified in taking what I admit to be the exceptional course which they have thought it their duty to adopt in the present state of Portugal. I will lay before the House any papers that I can, bearing upon those transactions of last year to which my noble Friend refers, though I cannot call to mind any particular paper which will distinctly show what he inquires about. With regard to the last question, I can only say, that there is a British naval force, and a Spanish vessel or two, in the Tagus; but there has been no collision between them and the insurgent forces south of the Tagus; but as to that question, it really must be left to my noble Friend to inquire what it was which prevented the insurgent forces from making that attack. I may as well observe now, that my hon. Friend (Mr. Hume) has given notice of a Motion for to-night upon this subject, probably imagining that the House would go into Committee of Supply; I believe that if there is any supply proposed,

it will necessarily be at a late hour—too late for beginning a discussion of such magnitude and importance—and, as papers are to be laid upon the Table, perhaps my hon. Friend will postpone the Motion till the House is in possession of them.

Mr. HUME had no doubt the House would be in a better condition to judge of the conduct of the Government when those papers should be laid on the Table; but he was unwilling to postpone the discussion beyond Friday, with the understanding that it would be the first business of the afternoon, by which time he should hope the papers would be in the possession of hon. Members. His only object was a fair discussion, and to see whether the Government could justify their proceedings. He would, therefore, postpone his notice, taking it for granted that the Government would proceed with Supply the first thing on Friday.

Lord J. RUSSELL had already stated that he should take the third reading of the Loan Discount Bill on Friday.

Lord J. MANNERS wished to call the attention of the Foreign Secretary to the circumstance that there had been rumours in town that a collision had taken place between Her Majesty's naval forces and the insurgent troops in or near Oporto; had the noble Lord received any information leading him to believe that there was any foundation for those rumours?

Viscount PALMERSTON had not received any information on the subject.

Mr. HUME must press his Motion that night, unless he had some assurance that a Committee of Supply should be moved on Friday; otherwise, the Motion would be thrown over into the next week.

Lord J. RUSSELL should be quite ready, when the papers were in the hands of hon. Members, to bring on Supply immediately, or in any mode to allow the discussion to take place, and forward it in any manner in his power, but would not commit himself to a day for bringing forward this question if the papers should not be before the House.

Mr. HUME asked whether the noble Lord the Foreign Secretary would state what papers there were that could not be prepared in a couple of days?

Viscount PALMERSTON could promise that all possible expedition should be used; but the hon. Member might have an impression that more rapidity could be used in the way of preparation of papers than was really possible in transactions of this kind. A good deal of correspondence had of course passed in the last six or eight months; the matter should be condensed in as small a compass as possible, but it would not be just to the House, any more than to the Government, not to produce the papers necessary for enabling Parliament to form a fair and correct judgment upon the case.

Mr. HUME was understood to say, that he should be satisfied if he had the protocol alone.

Viscount PALMERSTON would certainly lay the protocol on the Table.

Lord G. BENTINCK: And also, I hope, the declaration or proclamation of the Queen to her subjects in June, I think, last year.

Lord J. RUSSELL: There is no objection to lay the protocol on the Table; but when other papers are asked for, I must say that the House could not come to any opinion upon this subject without knowing, not only what has taken place between the Queen of Portugal and her subjects, but also what has taken place with reference to appeals made by the Queen of Portugal to other Powers, and offers made by them to interfere in the affairs of that country. Unless the whole is laid before the House, the House cannot form an opinion, and I do not wish merely to lay on the Table the papers that suit the particular views of hon. Members.

Mr. BERNAL OSBORNE wished his hon. Friend the Member for Montrose to give some pledge that the question relative to Portugal would be brought forward on Friday night. The House was left in ignorance whether the hon. Gentleman was resolved to proceed, or whether he might not listen to the persuasive tongue of the noble Lord the Secretary of State for Foreign Affairs, and postpone his Motion. The armed intervention which was intended, would lead to most disastrous consequences; and it was neither more nor less than an intervention in the cause of despotism. It was all very well to speak of waiting for the production of papers; but British subjects at Oporto were exposed to the greatest risk, even to the sacrifice of their lives; and it was announced in regard to the Viscount Sa da Bandeira, that unless he immediately agreed to a suspension of arms he should be excluded from the amnesty. Was not the question, then, one which required to be dealt with immediately? He begged to call upon his hon. Friend to give some guarantee that the

question would be brought before the House as soon as possible.

Mr. HUME had already expressed his determination to bring forward the question on Friday. He had asked the Government to let him do so on going into Committee of Supply; but, if they refused, he should avail himself of another mode of bringing the question forward; though he regretted that in the latter case he would not be able to take the sense of the House. Nothing would prevent him from taking the course he had proposed; and he had only to put it to the right hon. the Chancellor of the Exchequer, whether, on Friday, one of the first Motions would not be that the House go into Committee of Supply?

Lord J. RUSSELL could assure his hon. Friend that Her Majesty's Government had no wish at all to avoid the discussion. The better the facts were ascertained, the better would stand the case which Her Majesty's Government had to present. But it was not desirable that the House should enter on the discussion without becoming acquainted with the whole circumstances. The noble Lord the Secretary of State for Foreign Affairs had said, that though it was necessary to give certain papers, he had no wish for delay. There were, however, some papers of very great importance, which ought to receive the attention of the House; and if these could be delivered in time, the right hon. the Chancellor of the Exchequer would move to go into Committee of Supply on Friday; but he (Lord J. Russell) could not say that he wished to provoke a discussion unless the House was in possession of the requisite information.

Mr. HUME, documents or no documents, would bring forward the question on Friday.

Mr. OSBORNE expressed his intention to resist all Motions for Supply till the question was brought before the House.

Mr. BORTHWICK thought one reason for not letting the matter lie over, was the tremendous effect which delay would produce in Portugal. The statement of the noble Lord (the Secretary for Foreign Affairs), that the document which had appeared in the public journals, quoted from the Paris papers, was a faithful transcript of the protocol, would produce a greater effect, and probably a more disastrous effect, than any armed intervention. The noble Lord had described the case as exceptional. It might well be called so, when they found England taking the side of a Queen who had re-established the Inquisition in a form more odiously terrible than that which existed in the middle ages. The noble Lord would, he hoped, hasten the printing of the papers.

Lord G. BENTINCK inquired whether the noble Lord could not let the House have the papers in detached portions? If they were so voluminous as the noble Lord the Secretary for Foreign Affairs had hinted, hon. Members could not otherwise expect to get them perused.

Lord J. RUSSELL could only state that the papers would be produced as speedily as possible.

DOCKYARD REGULATIONS.

Viscount INGESTRE, after referring to the new dockyard regulations, requiring the men selected for certain offices to undergo an examination in mathematics, &c., inquired whether Mr. Wallis had been appointed assistant master shipwright at Portsmouth, and, if so, whether he underwent that examination?

Mr. WARD had stated, when he announced those regulations, that they were not intended to be applied so strictly as to debar the old and faithful servants of the Crown from that promotion which they merited; in fact, they were intended to have rather a prospective than a retroactive or even a present effect. The person alluded to had been thirty years in the service, had the highest testimonials from the officers under whom he served, and perhaps had taken a more active part in the construction of ships of war than any man now living; he ought not now to be debarred from promotion by the new regulations.

PUBLIC BUSINESS — REGISTRATION (SCOTLAND); ECCLESIASTICAL COMMISSION BILL, ETC.

Mr. DIVETT inquired what was intended to be done with (as we understood) the Health of Towns Bill.

Lord J. RUSSELL: In answering that question, I beg to remind the hon. Member that I stated on Friday, after having given notice what would be the business I should propose to take in the present week, that I would state further on this day what course we intend to take with respect to other Bills which are on the Table; and I think it will be better that I should take those different Bills in the order in which they now stand, than answer at once the question which the hon. Member has put. One of

the first Bills in the Order of the Day is the Registering Births, &c. (Scotland) Bill. I stated with regard to that Bill, and another which is connected with it, before the holidays, either that they should come forward this day or be taken into consideration next Monday; but what I now propose to do is, seeing the state of business, and seeing the great objections that have been made to these Bills in Scotland, to fix them for Monday next as the first thing to be taken, and that my right hon. Friend who brought them forward should then state their general purport, and the reasons for which he thinks they are not liable to the objections which have been made to them in many quarters, and state also what is the shape in which we should wish them to stand; and, after that, we propose not to proceed with them during the present Session of Parliament, but leave them for further consideration in Scotland. With respect to another Bill which stands for to-night — the Ecclesiastical Commissioners Bill—I think it absolutely necessary for the duly carrying on the business before that Commission that some amendment should take place in the composition of the Commission; but, at the same time, I find that the particular mode in which we have proposed that that amendment should be made, has met with strong opposition from persons of the greatest authority in the Church; and, therefore, I mean likewise to leave that Bill for further consideration, and to see whether I connot by some other mode, or, if necessary, by persevering in the present proposition, carry, in a future Session, a Bill for the purpose of amending the mode of conducting the business of that Commission, affecting, as it does, not only the property of the Church, but affecting great numbers of laymen in this country. Next, with regard to a Bill which has excited a good deal of discussion out of this House, and to which many objections have been stated, but which has been now put into another shape—I mean the Railways Bill —we propose to take the second reading of that Bill on Monday next, unless this urgent question respecting Portugal should interfere. On Thursday, in next week, we should propose to proceed with the English Poor Laws Administration Bill, which is already fixed for that day; and on the Monday following, the 14th, we propose to go into Committee on the Health of Towns Bill. Those are the principal Bills which now remain for the consideration of the House; and this disposes of the time up to the 14th of June, and answers the question of my hon. Friend. He asks whether, that Bill being liable to many objections in its details, we mean to persevere with it? My answer is, that we do think that Bill of very essential importance; and I trust that, although it may create a good deal of discussion in this House, the objections do not affect the principle of the Bill, and that we may be able to arrange the details in Committee; and I do hope to see it carried in this Session.

MR. E. DENISON had heard with great regret that the Ecclesiastical Commissioners Bill was to be withdrawn, and it made it necessary for him to prefer a request to the noble Lord. He had expressed his anxiety for a reform with the consent of the Commission, or through the intervention of Her Majesty's Government; but, as he had no hope of such a measure in the present Session, he trusted, considering the frequent postponements which had taken place to meet the noble Lord's views, that the noble Lord would still give him an opportunity of bringing forward his Motion for an inquiry into the composition and management of the Ecclesiastical Commission.

LORD J. RUSSELL, when there was so much business before the House, could not give the hon. Gentleman a day for the purpose of making that Motion; but he would afford the hon. Gentleman an opportunity of stating his views, if the hon. Gentleman thought proper on a Notice-day to bring the subject before the House.

ADDITIONAL BISHOPS.

MR. J. COLLETT wished to know whether Her Majesty's Government intended to bring in a Bill this Session for the appointment of an additional bishop or bishops; and, if so, whether the said bishop or bishops would have seats in the House of Lords?

LORD J. RUSSELL begged to state, that it was the intention of Her Majesty's Government to introduce a Bill in the other House of Parliament repealing part of an Act by which the bishoprics of St. Asaph and Bangor were united, and making provision for the appointment of a bishop of Manchester. By that Bill it was not intended to enact that any additional seat should be provided for the bishops so constituted; and it was not intended that any part of the funds for the support of these new bishoprics should be derived from any

other source than from funds now belonging to the Church.

POOR RELIEF (IRELAND) BILL.

LORD J. RUSSELL: In moving the Order of the Day for the consideration of the Lords' Amendments on a Bill entitled "An Act to make further Provision for the Destitute Poor in Ireland," I have to state, Mr. Speaker, that your attention has no doubt been attracted to those Amendments, and likewise to what passed on the 24th of July, 1838, when your predecessor, now Lord Dunfermline, occupied the chair of this House. Before proceeding further, I wish, Sir, that you would state what is the view you take of those Amendments as affecting the privileges of this House, and whether you think the view stated by Mr. Abercromby the correct one?

MR. SPEAKER: In answer to the question of the noble Lord, I have no hesitation in saying, that the Amendments made by the House of Lords on the Poor Relief (Ireland) Bill and the Landed Property (Ireland) Bill do infringe on the privileges of this House. On former occasions, when similar questions have come before the House—I especially allude to the cases which occurred in 1834, when the English Poor Law Bill was before Parliament; and in 1838, when the Irish Poor Law Relief Bill was before Parliament—the House of Commons did wave its privileges, and agreed to the Amendments made by the House of Lords; and it is for the House to decide whether, so far as regards the Poor Relief (Ireland) Bill, they will adhere to the practice which existed previous to 1834, or whether they will consent to wave their privileges in the present instance. With respect to the Landed Property (Ireland) Bill, I am not aware of any precedent in regard to a Bill authorizing issues from the Consolidated Fund, either by way of loan or otherwise, in which the House of Lords have been permitted to make Amendments, so as to divert the funds to any other object than that approved by the House of Commons. The Amendments made in the Landed Property (Ireland) Bill stand altogether in a different position from those made in the Poor Relief (Ireland) Bill. The charges imposed by this latter Bill are to be levied for local purposes, and administered by local authorities. The provisions of the former Bill impose a direct charge on the public revenue. Having now stated how far the privileges of the House are affected by the Amendments made by the Lords in these two Bills, I must leave it to the House to decide whether it will be expedient to insist upon them or to wave them on this occasion.

LORD J. RUSSELL: In moving the consideration of the Lords' Amendments on the Poor Relief (Ireland) Bill—and I propose to confine my attention entirely for the present to that Bill—I shall state, first, the view taken by Lord Dunfermline of such Amendments, and the House will see that his opinion was entirely in conformity with that which they have heard expressed. In regard to questions of privilege, my Lord Dunfermline said, that—

> "On referring to precedents he found two instances—namely, those of the English Poor Law Bill and the English Municipal Corporations Bill, in which Amendments were made by the House of Lords which were not strictly in conformity with the privileges of the House of Commons. Referring to those precedents, it was for the House to consider whether, in reference to the present Bill, they should throw out the Bill as amended by the Lords, and then introduce another Bill in which those Amendments might be incorporated; or whether they should wave the infringement of their privilege, and proceed to the consideration of the Lords' Amendments. As the authorized guardian of the privileges of the House, he had thought it right to explain his conduct on the present occasion, which he trusted would meet with the approval of the House; at the same time, he must add, that he thought the privileges of this House would be best secured by being not too far pressed."

There are cases in which the strict rule may fairly be relaxed. In considering the present Amendments made by the House of Lords, I should be disposed to inquire, in the first place, whether they do not come within the general principle of those cases in which the House has consented to wave its privileges; and, secondly, whether it is expedient upon the whole that we should wave our privileges in the present instance. The former cases were cases of local taxation, in which the object was taxation, not for objects of the State, but for particular and local objects. With regard to the last of those cases, the chief object of one Amendment made by the House of Lords was to divide the taxation according to certain districts, to be called electoral divisions. That Amendment, made by the House of Lords, was agreed to by the House of Commons, though it is evident that by changing the area of taxation you change the burden of taxation. But, considering the object of this Amendment as the same with that to which I have referred, and as having nearly the

same scope, I am not disposed to think we ought to press the point of privilege as against the Amendment made by the House of Lords in the present instance. The Amendment made by the House of Lords proposed to maintain electoral divisions in the same manner and according to the same area as under the former Poor Law, for the purpose of imposing burdens. The Lords have not proposed any new or distinct divisions, neither have they proposed that the burdens should be increased in any way for objects beyond what this House contemplated as general objects of taxation. But they say, admitting those objects of taxation, admitting the increased burden to be laid on property in Ireland for the relief of poverty—

"We are of opinion that the burden should be laid on according to the same districts as the former burden to which the House of Commons has already consented, and which is now established by Act of Parliament."

Such being the view taken by the House of Lords, I do not think that this is a case in which we ought to press our privileges. It is a case in which, to use an expression of Lord Dunfermline, we might, by pressing our privileges, "rather weaken than strengthen them." But it is another question whether, in point of expediency, we ought to agree to the Amendments. In that view, I must take into consideration in what state the House of Lords has returned us the Bill sent up from this House, making further provision for the destitute poor. That Bill was of a very important and comprehensive nature, extending relief, in the first place, to all old, disabled, infirm persons, whether in or out of the workhouse; and, in the second place, extending relief to the able-bodied poor in the workhouse, if there be room for them; and if there is not, still enacting that relief should be given to the able-bodied poor, to prevent their being actually starved out of the workhouse. As to those two great principles, the House of Lords have left our clauses untouched. They have agreed, then, to the great principles of this Bill. Generally speaking, I have found no Amendments seriously injurious to the objects of the Bill. There was one Amendment spoken of in public which it was supposed might have been affixed to this Bill, that is, an Amendment shortening its duration. Such a clause would have been most injurious. It would have been an indication that the House of Lords was disposed to try and get rid in the long run of this Bill. But no such clause is contained in the Bill as returned to this House. If such a clause had ever been proposed in the House of Lords, it is clear it must have been rejected. There was another rumour, that the clause proposed by my noble Friend the Member for Lynn (Lord G. Bentinck) which went to lay the burden entirely upon tenants, instead of dividing it between landlord and tenant, as now, was to be inserted in the House of Lords. But that rumour also has turned out to be without foundation, because there is no such clause in the Bill. As to the main features of the Bill, I am happy to say it has come down unchanged to this House. It is, therefore, with a somewhat different view that I look to this Bill as returned, then I should have looked if these clauses which have been introduced were accompanied by others which would still more injuriously affect the working of the Bill. It is quite true that provision is made for giving out-door relief; but I am of opinion that had the burden been restricted to the electoral division up to 15*d.* upon the half year, far better provision would have been made for the relief of the poor, and such a provision would have guarded against the danger to which this Bill is doubtless exposed. That danger is, that whereas a great number of paupers are to be found congregated in the suburbs of towns, a great burden would be imposed upon those places according to the Bill as it has come down; and the electoral divisions in which they might lie would be subjected to a far heavier charge than other electoral divisions. There is another provision introduced by the House of Lords which seems to counteract the effect of the clause to which I refer; because, instead of that clause, it is provided that "no person shall, after the passing of this Act, be deemed to have been resident in such electoral division, unless, during the three years before his admission into the workhouse or his receiving any relief whatever, he had occupied some tenement within such division for thirty calendar months," &c. This provision very much counteracts the mischief caused by the leaving out of the former clause; because it is quite evident that a landlord could not turn out his poor tenants into the neighbouring towns, and expect that the relief would be immediately charged to the electoral division, as the result would be, that not having resided thirty months within the electoral division, their case would fall under the provision of

the Bill which was introduced by the Earl of St. Germans, and they would become chargeable to the union, and not to the electoral division. Considering this, therefore, as a change which is certainly somewhat injurious to the Bill; but yet, considering that with respect to its main features the House of Lords have agreed to the Bill as passed by this House; considering, moreover, the very great importance it is that Parliament should agree in the present Session to an Act by which the relief of extreme poverty in Ireland should be placed upon the property of Ireland, I am disposed to ask the House to agree to the Amendment to which I have alluded, but that it should be accompanied by the words, "for the purpose of charging the expense of relief to any electoral division." These words could not properly have been introduced by the House of Lords; but they are necessary for the public working of the clause. There is one other clause to which I have to allude, and it is this—the clause with respect to the appointment of magistrates as *ex-officio* members of the board of guardians. As the clause passed this House, a number of magistrates, equal to the number of elected guardians, were to be selected from among the magistrates. The House of Lords changed the latter part of the provision, and made it into a provision that there should be no elected magistrates; but that the highest rated magistrates—those rated upon the highest amount of property—should be the persons who should have a seat at the board of guardians to the number equal to that of elected guardians. I think that so far this clause is an improvement; but there is a further clause—saying, that where one of these highest ratepayers shall be non-resident, he shall have power to appoint his agent, and that his agent shall take the place of a proprietor rated to the higher amount, as proposed. Now, I think this is an injurious provision. It appears to me that it will give an advantage, an undue advantage, to the great proprietors who are non-resident in Ireland; and, moreover, that it must be grating to a country gentleman who is rated perhaps for 1,000*l.* a year, to see another person who is rated upon 200*l.* take his place, because he is the representative of a non-resident proprietor. I think it would occur to him to say, "I have been attending to all the duties of my station; I am constantly here, bearing all the burdens and exposed to all the fatigues, and not only all the fatigues but all the dangers of a resident proprietor; and here is a non-resident proprietor who has the advantage over me of appointing a nominee and proxy to take my place at the board of guardians." This provision being very objectionable, I propose that the House shall dissent from it. The other alterations are mere matters of detail. I am happy to say that there are no essential alterations except those which I have mentioned; and I beg to move that all the Amendments be read, with the view of moving that they be agreed to, with the exceptions to which I have referred.

Amendments read and agreed to.

On the question that the Amendment with regard to the area of rating, Clause 11, be agreed to,

Sir D. NORREYS moved the re-insertion of the following clause, which had been omitted by the Lords:—

"And be it enacted, that whenever the expenses incurred for the relief of the poor in an electoral division of a union in Ireland, in any one half year, shall exceed a sum amounting to 1*s.* 3*d.* in the pound on the next annual value of such division, a portion of the said expenses, amounting to 1*s.* 3*d.*, shall be charged to the said electoral division, and the remainder thereof shall be charged to the union at large."

The hon. Member contended that the omission of this clause would overwhelm the towns of Ireland with pauperism, the burden of which ought to be borne by the agricultural districts. The towns had nothing to do with the creation of the pauperism to which the clause related, and they ought not to be called upon to bear its burdens exclusively. The ground upon which the noble Lord at the head of the Government had justified and consented to the omission of the clause, was quite insufficient. That ground was, that the Lords had introduced a clause limiting the right of relief in towns to persons who had been there resident for thirty-six months. This, the noble Lord thought, would prevent any unjust pressure upon the towns; but this would not be so in consequence of the impossibility of ascertaining the residence of the mendicant paupers of Ireland. It would be quite impossible to trace in what places any pauper claiming relief in a town had slept during thirty-six months; and this impossibility would deprive of its intended effect that clause which the Lords had introduced as a substitute for the clause the re-insertion of which he now recommended. The substituted clause would be altogether ineffectual; and, for the sake of the towns, he

intreated the House to re-introduce the omitted section. It was a great hardship that the towns should be made the scapegoats of the agricultural districts. He would, therefore, move the re-insertion of the clause.

MR. STAFFORD O'BRIEN said, that as the Amendment made by the House of Lords was identical with a proposition which he had the honour to submit to the House of Commons when the Bill was before the House, it was naturally to be expected that he would approve of it. As the Government had taken the same course, he deemed it unnecessary to do more than to express his belief that the apprehensions of the hon. Baronet who last addressed the House would prove to be unfounded.

SIR J. GRAHAM said, that the House did not seem disposed to attach so much importance to the Amendment now under consideration as he was bound to say he did. When the clause, which the Lords had omitted, was the subject of discussion in that House, he ventured to express his opinion respecting it, and he gave his cordial support to the form in which the Bill was sent up to the other House with the sanction of the Government. Upon that occasion he stated, that amidst the conflicting difficulties which environed the subject, the Government appeared to have taken a middle course, and that the clause in the form which they had suggested, would carry into effect a wise and politic arrangement, and one which, upon the whole, was best calculated to meet the justice of the case. The right hon. Baronet the Secretary for the Home Department also dwelt with much force upon the necessity of adhering to the arrangement proposed by the clause; and, if he (Sir J. Graham) mistook not, the right hon. Baronet said, that unless precautions should be taken against the casting of an overwhelming and intolerable burden on towns comprised in the electoral divisions in Ireland, the Act would break down in operation. He believed that he was not misrepresenting what had fallen from the right hon. Baronet on the occasion adverted to; and he concurred in the view which the right hon. Baronet took of the subject; but in what the noble Lord had stated to the House that evening, he in a great degree departed from the view which the Government formerly took of the question. The question which was now brought before the House for its determination was one of great importance, for he agreed with the noble Lord that it would be a most calamitous event, in the present circumstances of Ireland and the whole state of this kingdom, in reference to the destitution prevailing in that country, if the Bill should fail to be passed into a law during the present Session. But it appeared to him that this Amendment which the Lords had made in the Bill seriously affected its prospects of success. The noble Lord had truly stated that the Amendment presented itself to the consideration of the House in a double aspect, as a question of form and a question of substance. The rule of the Commons which disallowed any direct interference of the Lords in matters of taxation, whether local or general, though in strict phraseology it might be termed a matter of form, yet was it one of many privileges which were most valuable, and ought not to be suffered to be lightly invaded. The Speaker had that evening, with his accustomed precision, stated the question of form most accurately; and he might be pardoned for referring to a decision—reported in Hatsell, if he was not mistaken—of one of the Speaker's most distinguished predecessors, and who was held to be a high authority on the law of Parliament—he alluded to Lord Colchester. A question of privilege arose in 1808, in consequence of the Lords having altered the taxable limits fixed by an Enclosure Bill which had gone up from the Commons; Lord Colchester held that alteration to be an invasion of the privileges of the Commons, and advised the House to reject the Lords' Amendment. That was a case directly in point. The alteration which the Lords had made in the present Bill affected taxable limits. It was true, that by the advice of another great constitutional authority, the late Speaker, Lord Dunfermline, in a case strictly germane—the Irish Poor Law Bill, and also the Municipal Bill—the strict rule laid down by Lord Colchester was not adhered to, and the House consented to wave its privileges. Although the frequent repetition of such precedents passed over in silence might tend seriously to impair the future exercise of the undoubted privileges of the House; yet, taking into consideration the circumstances of the present case, and of the present time, he (Sir J. Graham) was not prepared to advise the House to take its stand upon the question of form only. The Lords' Amendment, however, involved a case of substantial grievance. It was impossible to deny, that in many rural

districts in Ireland an immense influx of destitute persons had, of late years, taken place into towns, owing to the operation of clearances by landlords in that country. He did not state that as matter of blame to the landlords. They had been driven by the necessity of their position to seek the improvement of their property by exercising the rights of property in clearing their estates of the occupiers of small allotments and of wretched dwellings. That system might have led to the better management of property; but undoubtedly the first effect of the clearance of estates had been to drive into the neighbouring towns a large number of destitute persons. The noble Lord had referred to the introduction of an Amendment on the Earl of St. Germans' enactment, which he seemed to think compensated for the other Amendment made by the Lords; but the Amendment in question would afford only a partial remedy, for, as respected persons who had been driven into towns during the last four or five years, their maintenance would continue an unmitigated burden on the electoral districts. By the Earl of St. Germans' Amendment a residence of twelve months out of eighteen gave a claim on the electoral division; by the clause introduced into the present Bill the claim would not accrue until there had been a residence of thirty months out of thirty-six. He might observe, in passing, that the effect of the alteration made by the Lords showed the value of the privileges of that House, and the importance of maintaining them; for the Amendment effected a change not only with respect to taxation generally, but with respect to the incidence of the burden of taxation. In boards of guardians the representatives of towns would always be in a minority; and he therefore viewed the Amendment made by the Lords with great apprehension; and as to the alteration of the Earl of St. Germans' enactment, he thought the advantage anticipated from it would prove more illusory than substantial, and that the effect of the Bill as it now stood would be to relieve rural districts at the expense of the towns. The people of England, in the present state of affairs, took a deep interest in this question. If Parliament rendered the burden of supporting the destitute intolerable to the ratepayers in the towns of Ireland, as sure as that House was then sitting, the burden would be ultimately transferred to the people of this country. It was known that the passage of paupers had been paid to this country; it was known that they were flowing into Liverpool to the number of 2,000 or 3,000 weekly; that, since the month of January, 150,000 paupers had been landed; and that the number was daily increasing. It would again be found, in July, that instead of maintaining these unhappy persons, when an absolute claim would be given to relief, or instead of paying for the cost of emigration to distant colonies, a sum of money would be put into their hands, just sufficient and no more, to pay the expenses of their passage to England. Thus, by an alteration in the law, for which he felt himself in a great measure responsible—and he could not say that he regretted having assumed the responsibility—the power of removing Irish paupers was suspended; and when once they had arrived in England, and became chargeable, the cost of their maintenance would be a permanent charge. The effect would be, that that terrible destitution and pauperism which had tended so much to degrade the character of the Irish peasant, would be transferred to and be infused in the system of this country; and by unfair means the Irish pauper would be brought into competition with the labourer in England and Scotland, to reduce the wages of labour in England and Scotland to the average existing in Ireland. As sure as, by the hydraulic law, if they had a conductor of water from one vessel to another, the water flowing from a higher to a lower level would flow into both until the quantity in the one was equal to the quantity in the other; so certain was it that if the maintenance of the excess of Irish pauperism became dependent on England, and if the burdens were permanently shifted to this country, the result to which he had referred would follow—the destitution of England would soon equal that of Ireland, and evils would ensue such as he dreaded to contemplate, and such as would speedily require the most active intervention of Parliament. He viewed this Amendment as having a most dangerous tendency in that direction. He feared that by its operation the burden would be made unbearable in the smaller town districts in Ireland; and that inducements would in this way be held out to ship the paupers to England. He looked upon the arrangement originally proposed by the Government as a wise and good arrangement, and it was therefore to be deplored that this Amendment had been made in the House of Lords. He could not, however, say that

he was at the present moment prepared to risk the loss of this Bill, or to express in a stronger manner his disapprobation. He had before candidly avowed his opinions as to the doubtful policy of the Bill, and, consequently, of the great impolicy and danger of the change which had been made; and he could not, therefore, have satisfied himself without now stating the view he took. He greatly regretted the alteration. He thought the noble Lord and the Government also regretted it; and he gave the noble Lord every credit for having, under difficult circumstances, come to a reluctant decision in the course which he had recommended the House to adopt. The right hon. Gentleman the Secretary of State for the Home Department well knew that his (Sir J. Graham's) first impression in discussing this matter had been, that a change was required in the charge; that the electoral division should have been abolished; and that the change from electoral division to union rating would have been judicious. This now brought forward was a system directly in an opposite direction, of a most dangerous tendency, and one of which he could not approve. He had satisfied his own conscience in expressing to the House the opinion he had formed of it; but he trusted, nevertheless, that the hon. Gentleman would not press his Motion to a division. At a future time, at a more auspicious season, the subject would again be considered; and if the apprehensions which he entertained were verified, the question in the new Parliament would be forced on their attention. The evil, if evil arose, could then be inquired into and remedied; but now, though he believed all the arguments of the hon. Gentleman were sound, he hoped the Motion would be withdrawn, for if he succeeded in carrying it, the Bill itself undoubtedly would be lost.

SIR G. GREY said, the right hon. Gentleman who had just sat down had very correctly represented the opinions he had expressed of the clause when under discussion in that House; and he was bound to say, that the further consideration which he had given to the subject had not in any degree modified the conclusion to which he had originally come. He hardly differed in any respect in the view he took of the question from the right hon. Baronet. He had certainly felt—and it seemed to be the general impression of the House—that it was actually necessary, looking to the existing state of the electoral districts in Ireland, that some special provision should be made to meet the case of those electoral districts which had populous towns within them, and which might be overwhelmed by the burdens thrown on them under the operation of this Bill. But it appeared to him, that the right hon. Gentleman and the hon. Gentleman behind him (Sir D. Norreys) had rather underrated the effect of the clause inserted in the other House. The definition of residence given by the Act brought in by the right hon. Baronet himself and the Earl of St. Germans would be materially altered by it; and "residence" now would be, thirty months out of thirty-six, without which the union, and not the electoral division, would be chargeable. It should also be borne in mind, that there was absolute power vested in the Poor Law Commissioners to alter the electoral district. His right hon. Friend would remember that, in Committee on the Bill, a clause had been proposed by the hon. Member for Limerick (Mr. Smith O'Brien), which would have made it imperative on the Commissioners to revise the divisions in Ireland, with a view to dividing the burden of taxation more equally between them. That clause, however, had not been pressed, on the ground that the power to do this already existed, and that it might be imposing on them, as an unnecessary obligation, that which might very properly be left to their discretion. At the same time, he (Sir G. Grey) had given an assurance that he would call the attention of the Commissioners to the statements which had been made from various quarters, and especially to those made by the noble Lord opposite, with regard to the size of the electoral districts, in order that, if it was deemed advisable, a new arrangement might be made; and he had subsequently addressed a communication to the Commissioners on the subject. With regard also to unions, what was now the 18th Clause was inserted, by which unions might be altered by the Poor Law Commissioners without that consent of the boards of guardians which previously had been required. There was, therefore, now an unfettered power or discretion invested in the Commissioners; their attention generally had been directed to the subject; and he could not doubt that in those localities where the burden of taxation would be found, by experience, to be intolerable, the power would be wisely and beneficially

exercised. The right hon. Gentleman had rather assumed, more especially at the close of his observations, that the result of the Amendment introduced in the House of Lords, supposing his apprehensions were realized, would be to throw the burden of maintaining the poor of Ireland on the people of this country. If the clause worked in the way anticipated by the right hon. Gentleman, that would inevitably be the result; but while admitting this, he felt that in such an event the law could not remain unaltered. He indeed felt it his duty to state that he would be unwilling to adopt this Amendment if he did not look forward to the probability of a further amendment in the law. He thought justice to the people of England required that, if they consented to a clause of which the possible effect would be to throw on them permanently a burden which, as in the case of Liverpool, had been borne this year with exemplary patience, but which they in that House, as the representatives of the people of this kingdom, could not desire to see perpetuated, they should let it be clearly understood that it was their design at a future period to effect that alteration which circumstances might at present render inexpedient. He was fully sensible of the danger and of the injustice which might be done by such a clause as this; but, as his noble Friend had pointed out, the importance of the Bill was so great, and the advantages it would confer on Ireland were so manifold, he could not give his support to any step by which risk would be run of losing it altogether. For those reasons, he would consent to the Amendment of the Upper House, but with the distinct admission that if the clause worked in the way apprehended, they would be imperatively called upon to reconsider the subject with a view to an alteration in the law.

Mr. LEFROY thought that the apprehensions of the right hon. Gentleman and the fears of the Government were in a great degree, if not wholly, without foundation. The reasoning of the right hon. Baronet that the immigration of paupers from Ireland would render the burden so great in England, might very likely be conclusive against the measure if found so to act; but it seemed to him that under the present arrangement there was much less danger of such a result than if the Bill had passed in the shape in which it had left that House. By the former arrangement, no inducement would have been offered to those who levied the rate to check expenditure; and thus, as the whole union would have to have borne it, the whole union would have been pauperized. He quite concurred in the view taken by the right hon. Gentleman, that if this Amendment was conceived to be a defect, the consideration of it should be postponed to a more suitable period, in order that the general benefit, which would be conferred by the provisions of such a Bill, might no longer be withheld from the people of Ireland. There were great difficulties in the way of the operation of the measure; but if anything could facilitate it, it was, in his opinion, this Amendment, to which so many objections were now being urged.

Sir R. H. INGLIS conceived that the measure now under discussion was one in many respects distinct from the measure which had been agreed to by that House. It was not necessary for him to expres any opinion on the Amendments made in the House of Lords; it was enough for him to say, that, whether for good or evil, they completely altered the character of the Bill. His right hon. Friend seemed to be cognizant of this; and, while he was willing to wave the question of privilege, yet as to the practical working of the clause, he anticipated so many evils in the Bill as it stood, that he felt himself called upon to tell the House that he should be prepared, under happier circumstances, to modify and to change the whole measure. [Sir G. Grey: If those apprehensions were to prove correct.] Of course, not unless they were to be verified; but if the right hon. Gentleman had not seen good ground for the apprehension, he would not have so readily committed himself by promising his consent to the prospective alteration. This, undoubtedly, was a moment of emergency; and there was no room for delaying a boon upon which the poor would have to depend; but if mischief and injustice were likely to be done, surely it was their duty to hesitate. Surely it was better to pause now and make the Bill as good as they thought it could be made, and as good as they considered it originally was, rather than run the risk of it working ill, and compelling them to come down in a future Session, perhaps in the next Session, of Parliament, and then to confess their error in having consented to that which they knew would operate hurtfully and injuriously. Considering, therefore, the opinions expressed in March on many different occasions in favour of the Bill, as it had been sent up, having

since heard nothing in favour of the alteration made in the other House, and having heard from the Secretary of State for the Home Department that there was a possibility—a probability, to use no stronger word, of the measure doing injustice and dealing unfairly, it would only be the part of a prudent Legislature not to adopt a course of proceeding by which they made problematical a benefit which a good and well-considered law would have secured to Ireland. He did not think there would be any risk of endangering the Bill; if he saw such a chance he would silently acquiesce in the recommendation given by the noble Lord; but, under the circumstances, his advice was, that they reject the Amendment in the first instance, and then ask for a conference. Their Lordships would not object to the course, and, on further inquiry, perhaps, the grounds on which they had introduced this clause might be made to appear to them not so worthy of consideration as had been at first supposed; and, at any rate, that House, whatever the result, would only have done its duty in adhering to the decision to which they had come, after due investigation and debate. This was an alternative which had not before been suggested, which was most conveniently open to them, and which could not be inconsistent with the former practices of the House in similar instances of disagreement.

LORD C. HAMILTON could not support the rejection of the Amendment, because he believed that would be tantamount to throwing out the Bill. He had no particular information of that which passed in another place; but rumours which had reached him had not led him to suppose that, if the House of Commons rejected the Amendment, there would be any disposition to pass the Bill deprived of that addition; and, for this reason, he was unwilling to adopt the advice of the right hon. Baronet (Sir R. Inglis). There was much useful legislation in the Bill, and he should regret to see the Irish nation so injured as they would be by its loss. And the mere throwing out this would not reinstate the former clause. They therefore did not add to the value of the enactment; and, in attempting to gain a small benefit, they perilled the safety of the whole measure. He did not deny that the Bill, as it had come from the Upper House, had somewhat suffered; but to refuse to take what they could get, if they knew they could not get all they wanted, would lead to a still greater evil than that they desired to avoid; and he therefore hoped that the hon. Gentleman would rest contented with the manifestation made by the House, and abstain from pressing his Motion to a division. As a poor-law guardian, perhaps the House would excuse him saying a few words in reply to the attack on the body, as they were known in Ireland, which had proceeded from an influential quarter that evening. The expressions used had seemed to be occasioned by the supposition that there was an intense anxiety where there was a pauper case to shift the liability of the maintenance to some portion of the union in which the pauper had no claim. It had been his duty to attend at various unions; and he could safely assure those who had no knowledge of the exact facts, that this description of the treatment met with by paupers was not correct as regarded the majority of the boards of guardians. There was always a delay, but it was in consequence of an inquiry having to be instituted into the merits and particulars of the case; and as this was the duty of the guardians, they were not open to the censure which had been passed on them.

MR. BELLEW approved the course which the noble Lord had declared the Government would take. They had exercised a wise discretion, and he could not, under the circumstances, vote for the rejection of the Amendment.

LORD GEORGE BENTINCK was at a loss to understand how the tendency of the clause amended by the Lords could be to flood England with paupers. It could not matter whether the pauper was relieved by the union or by the electoral district. In either case it would be equally advantageous for the ratepayers on whom the pressure of his maintenance fell, to get rid of him by sending to some other country. If he thought that the clause could really have any such tendency as that ascribed to it, he would most assuredly resist it; but he thought the apprehension quite unfounded. That this country would be filled with Irish paupers until some employment was procured for the Irish people in Ireland, or until they were disposed of by some system of colonisation, he had not the smallest doubt. But it should be recollected that the noble Lord at the head of the Ministry, and his Colleagues in office, had exerted themselves, with, unfortunately, too great success, to prevent employment being secured to the Irish in their own land. The noble Lord refused to

sanction a proposition which would have secured that blessing to them; and the effects of that refusal were now visible in the hundreds of thousands of Irish paupers who were hourly arriving in England to flood the labour market of this country. With respect to the question more immediately under discussion, he would observe that it was his opinion that the smaller the district over which the rate was spread, the greater disposition would there be to employ the poor in that district. As to the question of privilege, it certainly did appear to him that if that House were to strain at the present Amendments, after swallowing those proposed in 1838, they would expose themselves to the charge of being very capricious indeed with regard to their privileges.

Sir H. W. BARRON regarded the Lords' Amendment as a very great improvement in the Bill. He was opposed to the system of union rating, and did not think there was any English Member in that House, unless perhaps such as represented town constituencies, who would commit himself to the assertion that such a system would be for the general interest of England. He was sure there was no Member who would approve of a union rating for the county of Cumberland. The system would be injurious in England, and yet more mischievous in Ireland, where the people were not organized into a proper poor-law system. In the county which he had the honour to represent (Waterford), the farmers and the gentry were terrified at the prospect of the enormous rates that were about to be struck. They feared they would not be able to hold land nor to work it with such taxation upon them; and they thought there was nothing for them but to emigrate, and they were accordingly emigrating in very large numbers. The only way to remedy those evils in Ireland, was to narrow the limit of taxation, instead of increasing it; and this being his conviction, he did not hesitate to declare that he was very much pleased with the alterations introduced by the Lords. The alterations they had made by this Amendment, would, he had no doubt, tend very materially to the useful and practical working of the measure. Allusion had been made to the flooding of this country by thousands of the Irish poor; but the circumstance was not to be wondered at. The poverty of a country would infallibly follow the property of that country; and as Irish property to the amount of millions was expended in this country, it was idle to attempt to prevent the Irish poor coming over here in multitudes. As long as that anomalous state of things existed, they might as well try to keep a Yorkshireman from coming to London, as attempt to prevent the Irish poor from coming to England. That the Irish were unhappy, restless, and anxious for a repeal of the Union, was constant matter of complaint; but that they should be all that was not surprising, considering the insolent tone which was adopted by some Members of that House, by the public press, and by the public instructors of the age, towards the Irish nation and the Irish people—a tone only disgraceful to those who used it.

Mr. CURTEIS observed that he never had insulted the Irish proprietors; but he admitted that he had spoken of their conduct (speaking generally) with the greatest possible reprobation. He hoped and believed that there were many splendid exceptions to the rule of general delinquency amongst Irish proprietors; but, speaking as an English landlord, after all the sums given so lavishly and so generously for the use of Ireland, he could not help saying that it ill became an Irish proprietor to get up and make such a speech as had just been made by the hon. Member for Waterford. If the hon. Baronet the Member for Mallow were to divide the House, he would divide with him; but he entirely concurred in the opinion expressed by the right hon. Baronet on his right (Sir R. Inglis), that there ought to be a conference with the Lords. For his own part he felt no particular affection for a small portion of the House of Lords—that section of them who would, if they could, shuffle out of any description of Poor Law whatsoever, and who would willingly have saddled the whole cost of supporting the Irish poor on the English people. He was not in the least sensitive about incurring the displeasure of that party in the Upper House. One iota of the privileges of the Commons he would not surrender to them, for he did not think that the House of Lords would dare refuse to pass the Bill.

Mr. POULETT SCROPE was unwilling to risk the fate of the Bill by sending it back to the House of Lords with any alterations. He was averse to a conference, because the effect would be the substitution of a clause very little better in its nature than the present. Both the amended clause and the clause as originally framed, affirmed the principle of a

rating on the electoral division instead of an union rating, and both were, in his opinion, on that account, equally liable to objection. It was very much to be feared that the towns in Ireland, and especially the seaport towns, would be only stages and halting-places from which the paupers would be distributed along the British coast, as opportunity served, unless the Legislature would step in and do something to prevent the mischief. Even at the present moment, while famine and pestilence were abroad, the clearance system was going on to a frightful extent in Ireland, and this it was that caused the towns to be overcrowded. He was in receipt of advices that very morning from Ireland, which showed that the system prevailed to a large extent, in spite of famine and fever, and that landlords in various parts of the country were resorting to all possible means to evict their tenantry, and drive them into the towns or to England, or any where in fact off the land. Some cases of eviction had been detailed to him, which were calculated to excite the deepest feeling of horror; but he would not trouble the House with the afflicting details. In the county of Mayo it was a thing of constant occurrence to see whole villages razed to the ground, the houses torn down, and the miserable population hunted about like brutes. In the county Cork, the same scenes were witnessed; and even in Skibbereen, of such melancholy celebrity, they were of not infrequent occurrence. One dreadful case in the latter place had been mentioned to him, where a landlord set fire to the house of a tenant in order to evict him, while the wretched occupant was lying within in a state of fever. Another case of still greater aggravation was reported to him as having taken place in the county of Waterford. It had been brought under his notice by a noble Lord in the other House, and he had been in correspondence respecting it, with the Rev. Dr. Fogarty, the Catholic priest of Lismore. It appeared that within the last three weeks or a month, no less than 140 houses had been thrown down on the estate of a Mr. Usher. [Mr. OSBORNE: Mr. Usher has contradicted the statement.] He had it on the authority of the Catholic clergyman of Lismore, who, he was sure, was quite incapable of a misrepresentation. That an eviction had taken place was beyond all question; and he believed that it was equally undeniable that some forty or fifty families had been turned adrift at the moment when famine and fever were desolating the land. They were earthed from their poor holdings, and could not take shelter in the cabins of any other tenants, for any tenant who accommodated them was sure of being himself evicted. While this unhappy state of things went on, a large number of destitute creatures naturally fled for refuge to the towns. The result, he thought, must be, that some measure must be passed for the protection as well of the towns of Ireland as of England. Was the hon. Member for Roscommon informed of the fact that authorities in Ireland of corporate towns had subscribed to load vessels with paupers to convey them to the shores of England, and that private subscriptions had been going on to a great extent for the same purpose? And so long as they could for the small sum of from 2*s.* 6*d.* to 10*s.* send paupers over to England, it was clear that it would be cheaper for them to send them to England than to maintain them in Ireland. He conceived it was not fair, or just, or tolerable, that the mass of pauperism in Ireland should be shifted in this unhandsome, underhand, and knavish way on the people of this country.

MR. SHEIL: I am Member for the borough of Dungarvon, to which the hon. Gentleman has referred; and although it may be judicious on the part of the Government to prefer to retain the Bill as it now is, and to acquiesce in the somewhat territorial Amendment of the House of Lords rather than abandon the measure, I cannot help saying that I regret exceedingly this Amendment was introduced in the House of Lords. I think the Government were right in their original view, although, at the same time, it may be judicious on their part to avoid a collision between the two branches of the Legislature, especially in a crisis of such extreme difficulty as the present. At the same time I think it is not inappropriate on my part, as Member for the borough of Dungarvon, to enter my protest against the Amendment. I am connected with some property in the town of Nenagh, and with property at the distance from it of about twenty miles. In the town of Nenagh, a year ago, the rate was 4*s.* 6*d.* in the pound; and at the distance of twenty miles from that town, in the electoral division to which I am referring, the rate at the same time was only 2*d.* in the pound. What a monstrous contrast!—4*s.* 6*d.* in the town—a town surcharged with pauperism, a town pregnant

the party who made them inflicted very great pain; if they were unjust, he inflicted a very great hardship; and such statements ought not, therefore, to be made, except on the fullest inquiry. He was sure his hon. Friend would be the last man to desire to make an unjust impression; but he thought he had been led to make observations calculated to give pain, when he made this statement regarding Lord Berehaven's conduct in his own immediate neighbourhood—a neighbourhood in the immediate vicinity of Bantry, which it was known had borne more than its share of the visitation in Ireland. He ventured to say, from the general knowledge he had of the character of Lord Berehaven, as well as from the impression made on him by communications he had received, that he would be indeed surprised if he found that Lord Berehaven had acted with the harshness that had been stated. He had received the following letter from Lord Berehaven, and after reading it, he thought the House would agree with him that Lord Berehaven had entirely acquitted himself. The following was part of the letter:—

"I really am very sorry to trouble you with so much about myself, but I think it right to mention the following facts, which I shall thank you to mention in the House of Commons, and I hope you will pardon my requesting you to do so. During my unavoidable absence from home, in consequence of the deeply-lamented death of Lord Thomond, I arranged with Mr. J. Payne (my father's agent), of whose head and heart I have the highest possible opinion, not to send me one shilling of the income I derive from the Bantry estate, but to spend the entire of it in the manner he thought most beneficial to the people of Bantry during my absence; and he has this day shown me his account, by which he has expended 800*l.* for that purpose. Before I left home, and during my constant residence here, my bills, paid punctually on every Friday (in order that the tradesmen and labourers might have their wages in time for Saturday's market) amounted to from 60*l.* to 80*l.* weekly, being all I received both from the Bantry and Berehaven estates. In consequence of the non-payment of rent, I have been obliged to curtail my expenses here, but I am employing, and shall still continue to employ, as many as I possibly can, and it will give me the greatest pleasure when I can again increase the number of my workmen, believing employment to be the best way of relieving them. It is unfortunately quite true that (with the exception of my attendance at church) I have not been able to go, I believe, outside this domain since my return home, caused by a painful attack of gout, which has prevented my going even to see my father; and on this account, as well as disapproving of the proceedings of the Bantry relief committee, I shall not attend meetings held in that town for that purpose. During my absence in London, Mr. J. Payne thought it right to withdraw his own donation, as well as mine, of 5*l.* and 1*l.* monthly, to the soup-kitchen fund, and to establish other modes of relief that he thought more judicious. The curing station is in progress at Castletown, and will be of the greatest use there."

This was the statement of Lord Berehaven, and he thought the House would be satisfied that he had done his duty as a resident proprietor, and had done much towards the relief of the poor of his district. With regard to the question that was immediately before the House, he confessed that he agreed with his right hon. Friend the Secretary of State for the Home Department, in the deep regret he had expressed for the steps the House of Lords had taken. He did think, that the clause sent from that House (the House of Commons) was as just and fair a compromise between the interests of the towns and of the country parts of Ireland as could be devised; and he apprehended that the alteration introduced by the Lords would interfere with the good working of the measure. However, he understood the course proposed by Her Majesty's Government, that they should acquiesce in the Amendments; but he did not understand the course proposed by the hon. Member for Oxford, that they should enter upon a conference with the Lords as proposed by him. On the whole, he (Mr. Labouchere) would not take upon himself the responsibility of risking the passing of a Poor Law for Ireland by rejecting the Amendments. He thought the wiser course was that which had been proposed by his noble Friend, namely, that they should acquiesce in the proposition of the Lords, hoping that no evil would result, and reserving to themselves the power, if necessary, of dealing with it hereafter. He did not think it necessary to trouble the House with any further observations on the Bill, or to go into the question of the merits or the demerits of the Irish landlords.

MR. POULETT SCROPE wished to say a few words in explanation, as to the case he had brought forward against Lord Berehaven. He hoped the House would recollect when he mentioned that case, that his object was to call the attention of the Government to the slowness and want of energy manifested in many parts of Ireland in bringing into operation the Relief Act. In bringing this general charge, the truth of which was admitted by the right hon. Gentleman the Secretary for Ireland, and by the relief committees, he incidentally mentioned the case of Bantry, where there was so much destitution, but in which not

a single electoral list had been made out, which was absolutely necessary before relief could be administered; and he quoted the state of things that had been described in a Parliamentary paper in connexion with the workhouse at Bantry. This he mentioned as a case of great neglect, and also stated that the district was under the control of Lord Berehaven's agent. When he made this statement, he mentioned that he did so on the authority of a letter which he had received that morning. He could have no doubt, now, however, as to the correctness of the statement of the right hon. Gentleman, as he had received it from Lord Berehaven. He had not made that statement upon any newspaper report, but from private information; and since then, he had received communications, unsolicited on his part, from six gentlemen residing near Bantry, including some Catholic clergymen, who assured him that they could confirm and re-confirm the statement which he had made. In thus rising, he only wished to relieve himself from the charge that he had mentioned the case on mere newspaper report or on loose grounds.

SIR B. HALL, before entering upon the subject immediately under the consideration of the House, could not resist saying a few words in reply to the hon. Member for Wycombe, who had thought proper to allude to him in the course of his observations. He had no fault to find with the expressions made use of, or the tone adopted by the hon. Gentleman; but as the hon. Gentleman had been pleased to say that he had been requested to come forward to oppose him (Sir B. Hall) in the borough of Marylebone, he would only assure the hon. Gentleman that he was at perfect liberty to do so. The difference between the hon. Gentleman and himself was this, that whilst he stood up and advocated the cause of those he had the honour to represent, the hon. Member for Wycombe was standing up for those whom he was desirous of representing; for if rumour spoke truth, the hon. Member intended to leave his English connexions, and attempt to represent an Irish constituency; and the new-born zeal in favour of Ireland, as exhibited in the course of the present Session, was in the hope of success in the country which the hon. Gentleman had taken under his especial care. So much for the hon. Member's conduct. With respect to the clause now under discussion, as sent down by the House of Lords, he agreed entirely with those who condemned the proceedings of those noble Lords who had introduced it; and he looked with great suspicion on any alteration made by certain noble Lords in that place. He thought the consequence would be to drive the pauper population into the towns, from whence they would be sent over to England. Now, looking at the position of this country in reference to Ireland as regards taxation, and seeing the great advantages possessed by Ireland, he thought that as an amount of taxation of not less than 10,417,000*l.*, consisting of land and assessed taxes, income tax, window tax, &c., was paid by England, to which Ireland was not in any way subject; and as Irish Members were so fond of stating that their country should be put upon the same footing as England; the proper course would be, not merely to have a full and efficient system of Poor Laws, but that these taxes should be extended to Ireland; that there should also be a law of settlement, and a new Act of Parliament for facilitating the removal of Irish paupers to their own country, and charging the expenses of such removal on the property of that part of the kingdom. But with regard to the alterations made in the Bill, he looked at them with extreme suspicion, considering the quarter from whence they emanated. Those who had framed the alterations, and had failed in many others which they had attempted, were the opponents of an Irish Poor Law altogether. They had endeavoured in every way to defeat the measure as sent up by the House of Commons. The only hope of the Bill being efficient was to make it permanent. The great reliance the opponents of the measure placed upon defeating it, was to make it temporary; and if the report was correct, they had succeeded once in so doing, but their schemes were ultimately defeated. But let the House observe the nature of the opposition, and the quarter from whence that opposition proceeded. According to Parliamentary usage, he could only speak of the House of Lords as "another place," which always appeared to him neither very respectful nor very proper; but he had heard that the chief leader of the Opposition was a certain noble Lord, who most assuredly ought to be the very last person to offer opposition to Her Majesty's present Government. From the year 1830 down to the present period, he had enjoyed the most lucrative offices under the Whig Administration, and had now the office of

Comptroller of the Exchequer, with a salary of 2,000*l.* a year and a seat in the House of Peers. His eldest son had also one of the best patent places that could be given, with a salary of 1,200*l.* a year. Another son had also an appointment; and if he pleased, he might enumerate other members of the noble Lord's family; but he would confine himself to the male portion of that family only. And it would appear from an account which he had made out, that the noble Lord and his eldest son had derived no less a sum than 63,450*l.* out of the taxes of the people; and yet that noble Lord led an opposition to an Irish Poor Law, and said to his poor countrymen, "You shall have no out-door relief; or if we are compelled to give it you, you shall have it for only one year and a half." That was the attempted legislation of the noble Lord. But he (Sir B. Hall) would like to put a question to the noble Lord, if it was in his power to do so. He hoped his voice might reach the ears of the noble Lord [*Lord Monteagle was sitting under the gallery*], and he would ask him if he was prepared that the same restriction which he proposed for the poor in his own country should extend to himself? Would he allow Parliament to consider the continuance of his salary at the end of one year and a half? And he thought it only right to say, that if it was to be so considered, he, for one, would vote for its discontinuance, as a species of out-door relief quite unnecessary and uncalled for. The seconder of the noble Lord was another noble Peer formerly a Member of the House of Commons, where he was not remarkable for any great degree of sagacity or eloquence; and that noble Lord suggested that if his noble Friend's proposition was not carried, it would be advisable to pass a clause to the effect that no person marrying after the passing of the Act should be entitled to out-door relief, and that his wife and children should be subject to the same prohibition. This proposition was received with laughter and contempt. But what would have been the effect of such a clause? A man might be the destroyer of female virtue, and have children, and he would receive the same relief as others; but only let him marry the woman whose character he had blasted, and whose reputation he did all he could to restore, and neither his wife, himself, nor the children of such a union would be entitled to relief. That was the wisdom of the second noble Lord. But what was the point at issue between the supporters and the opponents of the Bill?—he ought rather to say, the ostensible point at issue, because he verily believed that the point at issue was the Bill itself, and that many of the Irish landlords desired that no such Bill should pass into a law. But the ostensible point was the question of out-door relief, to which he had referred; and let the House consider for one moment the conduct of the opponents of such a proposition. Did they object to it in point of fact? Not at all. Did they object to out-door relief being given? Not in the least? Did they object to the miserable suppliants for such relief obtaining it? Far from it: on the contrary, they encouraged out-door relief—they advised the poor people to take it—they did all in their power to secure it to the wretched beings who demanded it. That might appear an anomaly; but anomalies were not uncommon in Ireland. It might seem like contradiction; but it was a difference easily reconciled. The simple case was, that the objectors to out-door relief did not object to it in point of fact, but they did object to it in point of place. They desired others to give it, but they would not advance it themselves; it might be given in England, but it should not be afforded in Ireland—that was the amount of the difference. In former days, during the Rebellion, when the poor people were driven from the north of Ireland and sent to seek a shelter where they could find one, the cry used to be, "To hell or Connaught." That was not the case now; Connaught was full—full of misery and destitution; and the cry now was, "To death or Liverpool." "We give you nothing here, but you may get it there. It is true, we did all that lay in our power to promote population—we gave you power to divide and subdivide your miserable tenements—we found you useful then, but you are incumbrances now. The 40*s.* franchise no longer exists; you cannot add to our importance on the day of polling. The political purposes for which we fostered you, for which we cherished you, for which we countenanced you, can no longer be carried out; you are, therefore, an incubus on our hands. You look upon our workhouses as prisons, and will not enter them; but of out-door relief you shall have none, and we say, away with you to death or Liverpool." Now this was the substance of the conduct of certain proprietors in Ireland. He held in his hand a return made to the other House of Parliament which would show the

number of ejectments and the system pursued; it was entitled, "A Return of the Names of Plaintiffs and Defendants in all Processes for Rent and Arrears of Rent due 1st November, 1846, brought to trial in the Sessions, 11th January, 1847, held at Ballina, County of Mayo." [Mr. FITZSTEPHEN FRENCH: Those are civil-bill processes.] He was quite aware of that; the hon. Member might call them what he pleased — might disguise the proceedings under any names he might think fit; but he was well aware that the effect of these civil processes was ejectment; that it was the object for which they were brought; and it was the mere cover for the design and subsequent eviction. That return showed about 600 cases; and, allowing five persons to each family, there was a clearance of nearly 3,000 souls; and it was to be observed, that the actions were brought in January for rent due about six weeks previous. Then, again, they had heard much of Skibbereen; would it be believed, that at the very last sessions—and on the first day only of those sessions—about 1782 persons were similarly proceeded against? But that was not all: what he had alluded to was the proceedings of private individuals; he would now show what was the conduct of public functionaries. He had already called the attention of the House to the conduct of the Mayor of Wexford. What had he done? The Mayor of Wexford, animated by the same feelings—a man in authority, exercising his high office as chief magistrate of that important city—raises a subscription, not for the purpose of relieving present want—not with the object of feeding the hungry and administering comfort to the afflicted, but to collect 250 of these wretched creatures — full of fever — some apparently stricken with the hand of death, and in a state to breed plague and pestilence wherever they go. He sends them off: and "to death or Liverpool" is the cry; and away the plague-ship sails; and on its arrival in Liverpool, thanks to the salutary regulations of his right hon. Friend (Sir G. Grey), the yellow flag was hoisted, and floating in the breeze, a sad signal of the fever-stricken freight. But, thanks to English feelings and English generosity, these poor people received that sustenance which their own countrymen denied them, and which their public functionaries declared they were not entitled to receive. Was that a fact, or was it not? [Sir H. W. BARRON: No, no!] If the hon. Baronet said "No!" let him get up and disprove it. The hon. Gentleman was very fond of saying "No, no!" when any statement was made; but he (Sir B. Hall) called upon the hon. Member to disprove it if he could. It was an admitted fact. The right hon. Baronet had admitted it; he had said that the Mayor of Wexford sent over these wretched people with a letter of introduction to the Mayor of Liverpool, recommending them to his tender mercies; and could it be denied that hundreds and thousands of paupers were sent over here by the landlords of Ireland, and were now spreading fever about the towns? [Mr. CALLAGHAN: I don't believe it.] The hon. Member seems very incredulous; but he would ask the hon. Member, did he not every day that he walked out see the streets crowded with his poor countrymen? [Mr. CALLAGHAN: I don't deny that.] He would not take offence at this mode of interruption — he would endeavour to treat the subject with as much good humour as was possible; but it was difficult with such constant interruption to carry out the thread of the argument, and to place the matter before the House as connectedly as he could desire. If, then, it was a fact that thousands would be sent over here because they would perish for want in their own country if left to the tender mercies of their landlords, then, he said, that such a state of things was not only a disgrace to the country from whence they came, but it was time when not merely a full and searching inquiry should be made into the circumstances, but that Parliament should provide full and efficient measures to check and overcome this crying and disgraceful outrage on humanity. Were they to be told that there were no means in Ireland, that there were no resources there which could be made available for the maintenance of the poor? If such a cry was raised, he now approached those who raised it not with mere surmises but with facts. At the commencement of the Session they were told by some of those Gentlemen most eloquent as regarded the pauperized state of the Irish landlords, that the income derivable from that country was not more than 6,000,000*l*. But, thanks to the publication of accounts, it was now found that the income rateable to the relief of the poor was nearly 14,000,000*l*. It had also been admitted by many hon. Members who had spoken on the various debates in Ireland, for which the Session had been so remarkable, that the rateable value was much less

than the real value; and his own impression was, from all he had been able to collect, that the income of Ireland was not much under 20,000,000*l.* That being the case, he could not help again exclaiming with Sir Randolph Routh, when he went to Skibbereen, and saw death, and famine, and disease, destroying the population, and some dozen landlords deriving an income of 50,000*l.* a year amongst them from the town and neighbourhood—"With such resources as these, ought such destitution to exist?" And he would ask, ought it to exist? Did it exist in any other country possessing the same wealth?—would it be tolerated for one moment? And why should it exist in Ireland—in a country more favoured, perhaps, than any other in the world—containing sources of wealth innumerable, and an abundance of labour unapplied? It was a disgrace to human nature that such a state of things should exist; and now that the people of this country were made acquainted with the facts, they would demand that the burthens should be properly adjusted; and that the artisans of this country, labouring under the heavy yoke of taxation, should not be made to bear additional burthens, which, in justice and common humanity, should not be placed upon them. But when these assertions were made, certain hon. Members, amongst whom the hon. Members for Roscommon and Waterford were the most prominent, exclaimed they were surprised at such anti-Irish feelings. But, he said, they had no anti-Irish feelings; they were ready to do all they could for Ireland; they would make any advances to meet existing emergencies; and they cared so much for her poor that they desired a full and efficient provision should be made for them in future. He wanted to instil into the Irish landlords feelings for their own people; and if he could not instil into them such feelings, then he was ready to proceed by Act of Parliament to make them do that which they wished to avoid. That was the front of his offending. But when hon. Members talked of anti-Irish feelings, where did they in fact exist? It was a poor return for the sacrifices made by the people of this country. Had they not looked forward to remission of taxation? Did they not earnestly hope that this year would not pass away without some relief? Many had hoped that the light of Heaven would no longer be restricted—they hoped that the English people might be put upon the same footing as the Irish in that respect; but it pleased Providence to visit the land with famine, and the English people were silent. Not only had they been patient under existing taxation, but not one murmur had been raised when his noble Friend had asked for millions upon millions to feed and save the Irish people—and yet they were accused of anti-Irish feelings. It was a charge unworthy of those who made it, and who should rather express gratitude for the cheerfulness with which every proposition had been met; and for the laudable self-denial which had characterized the whole conduct of the British public. But if these taunts were used, and these accusations made, of a want of feeling for Ireland, depend upon it they would recoil upon those who made them. The English public would perhaps exclaim, "Of what use has been this generosity—of what advantage has been these grants of millions upon millions—of what avail our sympathy, our self-denial, and our forbearance? Are the poor of Ireland the better off? Is their condition likely to be improved? Do we not see thousands turned from their homes, and driven from the land of their birth?" Depend upon it, that more stringent measures will be insisted upon; and it cannot be denied—for the fact is on record—that you have an income of from 14,000,000*l.* to 20,000,000*l.*, and that income must be made available to the maintenance of the poor; and, careless and indifferent as those poor people are, the time will come when, if they are not more thoroughly cared for and considered, they will become alive to the abuses they have suffered under, and the privations they have endured; and the consequence will then be such that no one perhaps can really foresee, but may involve the country in most serious and disastrous difficulties. Intimations had been given that the Bill would be a failure, and broad hints had been held out that it would not and should not work well. If we found that those whose proper duty it would be to make the measure available for its objects, determined to defeat the intention of the Legislature by their own acts, he should be prepared to offer any support to the Government to meet such circumstances. He fully expected that the Bill must again be considered in Parliament; and then would be the time to determine how far more stringent measures might be necessary. He could not sit down without saying one word respecting the inhabitants of the metropolis, and

offering his meed of praise to them. They were suffering severely. The price of wheat had risen to 120*s.* and 130*s.* the quarter, and other provisions were high in proportion. They were suffering severely: in the parish he represented, the richest district in the world, containing 140,000 souls, about 1 in 17 was receiving parochial aid. In another, containing nearly the same number, 1 in 15 were similar recipients. Notwithstanding all this, they had not raised a single objection to these enormous grants to Ireland; and yet they were to be accused of anti-Irish feelings: he hoped that charge would not be made again. It was unjust and unwise; and Irish Members, considering the admirable manner in which the English people had behaved, should show some gratitude, and join with himself and others in removing from the hardworking classes of this country the additional burthens which had been placed upon them. He would again express a hope that the subject of settlement and removal would be considered early in the next Session; and that measures would be introduced to enact the one and facilitate the latter, so that the expenditure might not be borne, as it now was, by this part of the United Kingdom.

SIR H. W. BARRON was proceeding to make some observations upon the speech of the hon. Member for Marylebone, but was interrupted by

MR. SPEAKER, who said that the hon. Gentleman must confine himself strictly to an explanation of what had fallen from himself, not remark on what had been alluded to by the hon. Gentleman who had last spoken.

MR. B. OSBORNE begged to be allowed to explain. What he had said was, that it was a pure romance that a landlord had burnt a house over a tenant's head in order to eject him.

MR. CALLAGHAN begged also to explain that he meant nothing personally offensive to the hon. Gentleman (the Member for Marylebone), when he said that he did not believe the statement he had made. What he said was, that he did not believe that the poor people had been sent over from Ireland to be a nuisance to the people here.

MR. F. FRENCH must express his disapproval of the attacks which had been made upon individuals not having seats in that House. He should also deprecate the attacks which had been made upon the Irish people by hon. Members. He strongly disapproved of the right hon. Baronet's (the Member for Dorchester's) conduct, in coming down to the House and reading an offensive leading article from the *Times* newspaper; and the right hon. Baronet had been followed by the hon. Member for Stroud. The Irish people had a right to complain of the conduct of hon. Gentlemen in that House. But they did not complain of the conduct of the people of England. On the contrary, they had reason to be thankful to the English people for their generosity. But he denied that more had been done for the Irish than upon other occasions had been done for the people of England in times of suffering and distress. The noble Lord the Member for Lynn had already alluded to the measure brought forward by Mr. Pitt for the advance of 5,000,000*l.* to the people of this country; and he would also refer the right hon. Baronet to the annals of the year 1690, to see what had been done for his own countrymen. It had been stated that the landlords of Ireland were accountable for the acts of their forefathers; but he denied that the landlords of England had ever behaved with such generosity to their tenants as the landlords of Ireland had shown. He could state, if the opportunity were a fitting one, cases of oppression on the part of English landlords, that had never been equalled in Ireland. He had a letter in his pocket, which contained the statement of a case of great hardship: it was that of a man who farmed land which had been in the possession of his family for 500 years, and from which he was about to be ejected, having received notice to quit, after so long a tenancy. He asserted, the landlords in Ireland frequently gave great encouragement to their tenants, and often granted leases for three lives and sixty-one years. As to the hon. Baronet the Member for Marylebone, he was trying to recover his lost popularity. He said to himself, "Ireland has no interest in Marylebone, the inhabitants of which district are oppressed by the poor rates;" and so he took up the question as a safe one. Under such circumstances, he thought his hon. Friend near him was quite right in treating the hon. Baronet's observations as a mere electioneering speech.

MR. J. STUART said, that the largest privilege of language with regard to persons either absent or present was the right of hon. Members of that House. They possessed many privileges, and when the noble Lord at the head of the Government

had appealed to the Speaker that night for his decision, whether or no the privileges of the House had been infringed upon by the Amendments made by the House of Lords in the Bill before them, and that the Speaker had answered in the affirmative, and when the noble Lord had then recommended that upon that occasion those privileges should be waved, he (Mr. Stuart) applauded his wisdom. But the privilege of language used by the hon. Baronet the Member for Marylebone seemed to him to be very extraordinary indeed. It appeared that two noble Lords had, in their proper places, used language not pleasing to the hon. Member for Marylebone; but it was relating to public matters, and having no reference to the hon. Member, and yet he chose to answer there that language so used in the other House of Parliament upon public affairs, and to hold up to public execration those noble Lords—to the execration, at all events, probably of the London public. There were some passages in the speech of the hon. Baronet that seemed to point out its having been prepared. It seemed, in fact, not to have been so much addressed to the Speaker or to the House—not so much intended to affect the votes or opinions of hon. Members upon the question before them—as to produce an effect out of doors. He thought it was a gross breach of the privileges of the House. ["Hear!"] If there were any other Gentlemen who thought it fair to use terms of recrimination towards those who were absent, let them avow it. For his own part, he disavowed it altogether; and he did not think that there were many people to be found in England, who would look with a favourable eye upon such conduct. The hon. Baronet had thought fit to describe, in unmistakeable language, two individuals, one of whom, he said, held a pension under the Crown; and he added that if any one would propose the repeal of that pension, or the withholding of the grant, whichever it might be, he would support him. [Sir B. HALL: It is an office.] Well, the stoppage of the salary or the removal from the office. The hon. Baronet was ready to support a Bill of pains and penalties against those two individuals, for the expression of their sentiments.

SIR B. HALL begged to explain that what he had said was, that he had heard a rumour that a certain noble Lord had proposed that the clause for giving outdoor relief should be restricted in its term of operation to one year and a half; and he had added, that if the noble Lord was willing to restrict the receipt of his pension to one year and a half, he would assent to his proposed restriction of the outdoor relief clause.

MR. STUART resumed: The hon. Baronet had described another individual as one who was not remarkable either for wisdom or eloquence. He believed that if that noble individual was present he would show that he possessed quite enough of either faculty to answer the hon. Baronet; and for his own part he should confess that he had not been deeply impressed by the wisdom or eloquence displayed by the hon. Baronet himself, There was another individual, not there present, who had also been attacked. He meant the Mayor of Wexford, who had been accused of having sent over to this country, to the town of Liverpool, poor people from Ireland to be a burden to the English people. Now, if the hon. Baronet had only thought it necessary to make himself acquainted with the facts of the case before attacking an absent man, he would not have made the attack at all; for how stood the facts? A vessel was proceeding from Liverpool to a foreign port with Irish emigrants, who had paid their passage out of Liverpool before they had embarked. They were shipwrecked on the Irish coast. They applied to the Mayor of Wexford for relief; and he, finding that they had paid their passage-money in Liverpool, sent them back there to those who had contracted and had taken their money to carry them to a distant part. Now, if that were the fact, the Mayor of Wexford would stand acquitted by every one from the charges brought against him by the hon. Baronet. The noble Lord the Member for Lynn had put into his hand a paper which, when the hon. Baronet should have heard read, he would hardly think his charges well founded. It stated that "the *Rochester* sailed from this port (Liverpool) on Sunday, the 11th instant, with 270 Irish emigrants on board, bound for New York. On the 13th she struck on Blackwater Bank, and shortly afterwards sunk. All the hands on board were saved, and the poor emigrants are now here in a state of complete destitution." Then followed names of persons by whom, and places where, subscriptions for these unfortunate people would be received. [Sir B. HALL: What is the date of the document?] The 23rd of April, 1847. It was dated at Liverpool, and

stated the places in Liverpool where the subscriptions would be received, so that the people of Liverpool thought the case one which called for the exhibition of their sympathies. Now, unless the hon. Baronet was prepared to deny those facts, his accusations against the Mayor of Wexford could not be sustained.

SIR B. HALL said, that what he had stated with respect to the cargo of poor people sent to Liverpool from Wexford was taken from a petition sent to that House from Liverpool, and signed on behalf of the select vestry by Augustus Campbell, rector of Liverpool, chairman of the select vestry, and Charles Hart, clerk of the select vestry.

MR. WATSON said, that although the hon. Member for Newark had made an address to the House, he (Mr. Watson) did not know at the close of the hon. Gentleman's speech more than before the beginning of it which side he was about to vote upon, or whether he thought the rating clause as sent down from the House of Lords should be allowed to remain or not. The question in fact was whether the whole weight of supporting the poor should be cast upon the small towns of Ireland, whilst the rural districts were to be relieved? The hon. Members for Marylebone and Newark were speaking to their constituents; but he was speaking for his constituents, upon whom destitution would be brought by the operation of the Bill as it stood. In the workhouse of the town which he represented (Kinsale), there were upwards of 1,100 persons at present, although the house had been originally constructed and was only adapted for 500. The rates were struck at 2*s.* 6*d.* or 2*s.* 9*d.* in the pound, whilst the rating in the electoral division was only twopence. As the rating went on, one of the consequences was that there were persons in the town who refused or were unable to pay the rate, and thus the expense of supporting the poor was thrown altogether upon those persons who could not bear to let them perish. The clause as it originally stood would have been advantageous to the towns; and he contended that it should be maintained as it had been sent up to the House of Lords. If it were allowed to remain as altered by the other House, the small towns would be utterly annihilated; and he called upon the Government to institute a serious and immediate investigation upon the subject.

MR. M'CARTHY rose and said, he was unwilling that the clause should pass without his recording his opinion upon it. When the noble Lord at the head of the Government had called upon the Speaker to declare whether the Lords in making the Amendment had invaded the privileges of the House of Commons, and when the opinion of the Speaker had been so clearly given in reply, he (Mr. M'Carthy) confessed he was not prepared to hear the noble Lord declare his intention of supporting that invasion. He had not heard a single reason from the Government explaining why they had altered their minds with respect to this clause. In fact they even still admitted that the Bill would be better if it were passed in the shape in which it had been originally introduced. He should, therefore, for one, insist on having the sense of the House taken with regard to this Amendment.

House divided on the question that the House agree with the Lords on the said Amendment:—Ayes 80; Noes 16: Majority 64.

List of the AYES.

Aglionby, H. A.	Hayes, Sir E.
Arkwright, G.	Heathcoat, J.
Bailey, J.	Henley, J. W.
Baine, W.	Hildyard, T. B. T.
Bannerman, A.	Hobhouse, rt. hon. Sir J.
Barclay, D.	Hodgson, R.
Baring, right hon. F. T.	Hope, Sir J.
Barnard, E. G.	Hudson, G.
Bell, J.	Humphery, Ald.
Bellew, R. M.	Inglis, Sir R. H.
Benett, J.	James, W.
Bentinck, Lord G.	Jervis, Sir J.
Berkeley, hon. Capt.	Jolliffe, Sir W. G. H.
Bernal, R.	Jones, Capt.
Bodkin, J. J.	Labouchere, rt. hon. H.
Brooke, Lord	Macaulay, rt. hon. T. B.
Brotherton, J.	Mangles, R. D.
Burke, T. J.	Martin, J.
Chaplin, W. J.	Masterman, J.
Chichester, Lord J. L.	Mitcalfe, H.
Colville, C. R.	Monahan, J. H.
Copeland, Ald.	Morris, D.
Craig, W. G.	Morison, Gen.
Crawford, W. S.	O'Brien, A. S.
Denison, W. J.	Parker, J.
Divett, E.	Reid, Col.
Duncan, G.	Rice, E. R.
Dundas, Sir D.	Russell, Lord J.
Ferguson, Sir R. A.	Russell, Lord C. J. F.
Forster, M.	Rutherfurd, A.
French, F.	Sheil, rt. hon. R. L.
Gore, M.	Stansfield, W. R. C.
Goulburn, rt. hon. H.	Staunton, Sir G. T.
Granby, Marq. of	Stuart, J.
Granger, T. C.	Strutt, rt. hon. E.
Greene, T.	Thornely, T.
Grey, rt. hon. Sir G.	Trelawny, J. S.
Hamilton, Lord C.	Wilshere, W.
Harris, hon. Capt.	Wood, rt. hon. Sir C.

Yorke, H. R.	TELLERS.
Young, J.	Tufnell, H.
	Marcus Hill, Lord

List of the NOES.

Boyd, J.	O'Connell, M. J.
Browne, R. D.	Perfect, R.
Browne, hon. W.	Roebuck, J. A.
Curteis, H. P.	Tancred, H. W.
Duke, Sir. J.	Watson, W. H.
Escott, B.	Williams, W.
Hall, Sir B.	
Howard, Sir R.	TELLERS.
Layard, Major	Norreys, Sir D. J.
M'Carthy, A.	Callaghan, D.

On Clause D,

SIR R. FERGUSON proposed an Amendment restricting, as we understood, the power of the auditors in granting certificates.

The House divided on the question that the words proposed to be left out stand part of the Clause, when there appeared: —Ayes 73; Noes 19: Majority 53.

List of the AYES.

Aglionby, H. A.	Howard, P. H.
Arkwright, G.	Inglis, Sir R. H.
Barclay, D.	Jervis, Sir J.
Baring, rt. hon. F. T.	Labouchere, rt. hon. H.
Barnard, E. G.	Lockhart, W.
Bellew, R. M.	Mangles, R. D.
Bentinck, Lord G.	Martin, J.
Berkeley, hon. Capt.	Maule, rt. hon. F.
Bodkin, J. J.	Mitcalfe, H.
Brotherton, J.	Monahan, J. H.
Buller, C.	Morris, D.
Burke, T. J.	Newry, Visct.
Byng, rt. hon. G. S.	Northland, Visct.
Cavendish, hon. G. H.	Ord, W.
Clay, Sir W.	Owen, Sir J.
Clerk, rt. hon. Sir G.	Parker, J.
Colville, C. R.	Pechell, Capt.
Cowper, hon. W. F.	Rice, E. R.
Craig, W. G.	Rutherfurd, A.
Crawford, W. S.	Seymour, Lord
D'Eyncourt, rt.hon.C.T.	Sheil, rt. hon. R. L.
Divett, E.	Shelburne, Earl of
Duncan, G.	Somerville, Sir W. M.
Dundas, Sir D.	Stansfield, W. R. C.
Farnham, E. B.	Staunton, Sir G. T.
Forbes, W.	Stuart, Lord J.
Fox, C. R.	Strutt, rt. hon. E.
Gardner, J. D.	Tancred, H. W.
Gladstone, Capt.	Thornely, T.
Goulburn, rt. hon. H.	Vivian, J. H.
Graham, rt. hon. Sir J.	Ward, H. G.
Greene, T.	Winnington, Sir T. E.
Grey, rt. hon. Sir G.	Wood, rt. hon. Sir C.
Hall, Sir B.	Young, J.
Hanmer, Sir J.	
Hastie, A.	TELLERS.
Hobhouse rt. hon. Sir J.	Hill, Lord M.
Hope, Sir J.	Tufnell, H.

List of the NOES.

Barron, Sir H. W.	Collett, J.
Boyd, J.	Copeland, Ald.
Callaghan, D.	Dickinson, F. H.
Evans, Sir De L.	Jones, Capt.
Hamilton, G. A.	M'Carthy, A.
Hamilton, Lord C.	Norreys, Sir D. J.
Harris, hon. Capt.	O'Connell, M. J.
Hayes, Sir E.	Watson, W. H.
Henley, J. W.	TELLERS.
Hussey, T.	Ferguson, Sir R.
Jolliffe, Sir W. G. H.	French, F.

Clause agreed to. Other Amendments agreed to. Some disagreed to. Committee appointed to draw up reasons to be offered to the Lords at a conference for disagreeing to their Amendments.

LANDED PROPERTY (IRELAND) BILL.

On the Order of the Day for the consideration of the Lords' Amendments to the Landed Property (Ireland) Bill,

The CHANCELLOR OF THE EXCHEQUER said, that the Speaker had already stated to the House that some of the Amendments in this Bill were such, that it would be inconsistent with the privileges of that House to agree to them; but there were others which he admitted to be improvements of the Bill. The power now given of applying a portion of the money to be advanced to the construction of grist mills and various buildings, for which it was not originally designed, was, he understood, one of the Amendments to which that objection principally applied. With regard to the construction of grist mills, he would only observe that the whole sum of 1,500,000*l.* had already been applied for for the original purpose to which it was destined, viz., the drainage and reclamation of land; and he certainly considered these latter as improvements of the greatest practical importance. If, however, before the next Session, there should appear any surplus, not applied for for those purposes, it would then become a question for consideration whether that surplus should not be applied to the construction of mills, or works of that sort; but in the present Session, he thought it better to confirm the application of the loan to the great purposes for which it was originally intended.

MR. F. FRENCH said, that he understood from the right hon. Gentleman that claims had already been made to the full extent of 1,500,000*l.*; but he (Mr. French) asserted that it was totally unavailable to one-fourth of Ireland, as the right hon. Gentleman must know from the statements of the officers of the Board of Works. In the west of Ireland, where the distress was most pressing, and works most required, this measure would give no relief, because no portion of the west of Ireland could be

made to exhibit an immediate improvement to the amount of 6½ per cent. He knew the fact from the statements of officers of the Board of Works, as well as from his own knowledge; and yet the Government would not grant the loan, except upon a report that an immediate and permanent improvement to the amount of 6½ per cent would be the consequence. The Bill did not expressly require it; but he understood that the right hon. Gentleman did not think it would be advisable, on the part of the Government, to make any loan, when such an improvement would not be the immediate result. And, besides, the Board of Works had a direct interest in reporting in favour of the works to be executed by themselves.

On the Motion on the 4th Clause, that the House do disagree to the Amendment of the Lords with regard to the construction of grist mills, Motion agreed to.

On the Amendment to the 28th Clause, giving the Board of Works power to extend the time for completing works and making payments,

LORD J. MANNERS asked for a statement of the reasons why the Government proposed to negative the Lords' Amendments. He thought that the House had been taken by surprise with regard to the last vote.

The CHANCELLOR OF THE EXCHEQUER said, that could hardly be, for the hon. Member behind him had actually spoken on the question; and he (the Chancellor of the Exchequer) had already stated that his reason for resisting the Amendments was that they violated, according to the decision of the Speaker, an important privilege of that House.

LORD G. BENTINCK said, that he certainly had understood the right hon. Gentleman to move that the House do agree to the Lords' Amendments instead of "disagree;" but as to the merits of the case, there seemed to him little difference between the cases of the English Poor Law and the English Municipal Law and the case of the Irish Poor Law, though he entirely agreed with the Speaker that no precedent could be found. But there must be a beginning. Up to the year 1834, no precedent was to be found for admitting any alterations by the Lords in any Bill at all involving taxation; but at that time a precedent was formed with regard to matters of local taxation; and though this was the case of a loan, the other was the case of a tax upon the people; and all the language used on that former occasion by the noble Lord now at the head of the Government was perfectly applicable to the present case. It would be stretching their privileges to a most inconvenient extent, and would in effect prevent the House of Lords from ever improving any Bills of this sort, if they should refuse to assent to those Amendments, which could not, in any event, add to the taxation of the country or the amount of the loan, but only altered the distribution of it. The noble Lord opposite, on the occasion to which he had adverted, and on a measure which altered altogether the taxation of the country, had recommended the House to agree to the Amendments of the Lords, on the ground that they

—"did not alter the total amount of the burden, and that it would be very vexatious and very inexpedient to insist on their privilege on the ground of such an objection."

Whilst, therefore, he conceived that there was no precedent for this course; neither in 1834, was there any precedent for that then pursued; for formerly that House did not allow the Lords to introduce any alterations even into a Road or Canal Bill, and not a criminal penalty even to be added or altered. But the present Amendments were not intended in any way to add to the burdens of the people, but only to vary the distribution of a boon granted by Parliament, so as, in the opinion of a large portion of the representatives of Ireland, to add greatly to the value of the boon itself. For these reasons he was prepared to vote that they should wave their privileges, and assent to the Amendment of the Lords.

MR. LABOUCHERE said, that if he wanted arguments for not waving the privilege of that House, he found them in the speech of the noble Lord. The noble Lord said, that there must be a beginning; that the House had relaxed its practice with regard to the application of local rates, and the noble Lord used that as an argument for further relaxation; but he, on the contrary, considered it the very strongest argument for insisting on their privileges, and he thought that it was of vital importance that they should keep in their own hands the application of money levied by general taxation. It was clear, that if they waved their privilege on that occasion, the House of Lords would on all future occasions exercise the power of altering the distribution of any tax which that House might impose; and he hoped that the House would refuse to depart from its ancient practice,

He placed his resistance to these Amendments entirely on the ground of privilege, because, as to the question itself, he thought it of no very great importance whether the construction of mills, or even farm buildings in peculiar cases, should or should not be included in the purposes to which this loan was to be devoted; and his right hon. Friend had already stated, that though the money was exhausted by the applications which had already been made, if a surplus should arise, the question would then be open for consideration; but he did trust that the House would not part with that which was no mere matter of form, but a most substantial privilege of that House, involving largely the liberties and interests of the country. The distinction between the application of local rates and of the proceeds of general taxation, seemed to him very broad; and considering how constantly the House of Lords pressed upon them, whenever they waved any privilege, they ought to be warned by experience, and resist any such attempts as the present.

Mr. NEWDEGATE said, that the right hon. Gentleman had based his claim to the privilege of that House upon so narrow a foundation, that it could hardly stand. If their privilege rested on so narrow a ground, that they were bound to resist amendments as to local distribution of money, raised by general taxation, whilst they consented to amendments as to the application of rates so locally collected, the ground was unworthy of that House. He must say, that the indignation of the right hon. Gentleman seemed to him very uncalled for, because the principle of allowing the Lords to interfere in matters of local taxation had been often recognised; and although this particular fund was not to be levied by local assessment, yet taxation was the same, whether levied by local or by general assessment, and he therefore could not oppose the Amendments on any such ground.

Mr. GOULBURN could not agree with the view of the hon. Member for Warwickshire, for he thought that these Amendments did involve most seriously the most valuable privileges of the House. By the Bill as it went up to the Lords, there were certain purposes to which the money to be paid out of the Consolidated Fund was to be applied; but in the Lords, other purposes had been added, and particular amounts specified which it might be in the power of the Government to give, thereby applying to a service which was not intended, money which had been distinctly applied to another, and withdrawing it from that other. But let them see what would be the consequence. In any Appropriation Bill, the House of Commons might have voted 5,000,000*l.* for the Army and 5,000,000*l.* for the Navy; but if the Lords could alter that distribution, they might say, "We prefer giving 6,000,000*l.* to one and 4,000,000*l.* to the other service;" and if that were so, he asked any one who had considered the relative positions of the different branches of the Legislature, whether that would not be a most fatal violation of this important privilege? The effect of the argument used by the noble Lord was, that they had made a great mistake in allowing the Lords to interfere with questions of local taxation, and that, therefore, they had better proceed further, and give up the privilege altogether.

Sir H. W. BARRON said, that the point under argument had been already decided upon the 4th Clause; and they were now upon the 28th Clause, giving the Commissioners power to allow two years to complete works, and he certainly did not think that that Amendment affected their privilege in any way.

Lord J. MANNERS said, that if this 4th Clause was so great a violation of the privileges of the House, what opinion ought that House to entertain of Her Majesty's Ministers in the House of Lords, who had made no objection to it, but had generally spoken of it as an improvement, although it was now said to be so flagrant an infringement of their privileges, The clause had certainly been passed under a misunderstanding, without the knowledge of the House; but if the present clause would raise the same question, he should certainly vote in favour of assenting to the Lords' Amendment.

Sir G. GREY said, that this clause would not raise the question, for it related only to the extension of time for completing works and making payments; and although it came within the objection stated by the Speaker, because it related to the distribution of the payments, it in no way bore upon the other question, as to the construction of mills and farm buildings. It would be useless, therefore, to divide the House.

Mr. F. MACKENZIE: Then what was the use of the speech of the right hon. Gentleman the Secretary of Ireland?

The CHANCELLOR of the EXCHE-

QUER said, that the 4th Clause had certainly been decided; and with regard to the present clause, he objected to it on the merits of the Amendment, as well as on the ground that it was inconsistent with the privileges of that House.

After a few words from MR. LEFROY,

MR. M. J. O'CONNELL admitted, that the attainment of the objects specified in the Lords' Amendment was desirable; but as he deemed the privileges of the House to be of greater value, he would vote for disallowing the Amendment, and he hoped that on a question of so much importance, hon. Gentlemen would not divide the House.

Amendment disallowed.

Other Amendments considered *seriatim*, some agreed to, and others disagreed to. Committee appointed to draw up reasons to be offered to the Lords at a conference for disagreeing to their Lordships' Amendment.

DESTITUTE PERSONS (IRELAND) BILL.

House in Committee on Destitute Persons (Ireland) Bill.

The CHANCELLOR OF THE EXCHEQUER stated that it would be in the recollection of hon. Gentlemen that at an early period of the Session his noble Friend the First Lord of the Treasury intimated that measures would be brought forward as soon as possible to put an end to the system of relief in Ireland by public works, and that another system would be proposed to be carried out by a Relief Commission and relief committees, and by the distribution of food to destitute persons. An Act was passed for that purpose, and power was given to raise funds by way of loan, on the security of the rates to be levied, to an amount not exceeding 300,000*l.* He had himself subsequently proposed in Committee of Supply, that a sum not exceeding 500,000*l.* should be granted in aid of rates for the purpose of relieving the destitute poor until the harvest should enable them to be maintained from the produce of the soil. What he was now about to propose was, that a further advance should be made from the Consolidated Fund by way of loan on the security of rates to be levied: and in some future Committee of Supply he should have to propose that a further sum be granted in aid of those rates, in order to carry on the relief of the destitute poor from the present time to the harvest. On Friday last a return was moved for, stating the whole amount of loan and advances since the beginning of last Session of Parliament, which he had hoped would before this time have been in the hands of hon. Members. But he trusted it would be so to-morrow or next day. As to the advances made under preceding Acts, he believed that on former occasions he had stated the amount; and he was now prepared to state that the sum advanced under the Public Works Act, since August last, was 4,700,000*l.* He was happy to say that the public works system had, as nearly as possible, been brought to a close; and throughout the greater part of Ireland, with the exception of about seventy electoral divisions, the new system had been brought into operation. He was also most happy to say, from the reports received by Her Majesty's Government, that wherever the residents were active in the execution of the Act, it seemed to answer the expectations which had been formed as to its efficacy. It was found that the new system was a greatly improved substitute for the system of relief by public works. He was not sure that it was popular in Ireland; but neither was he sure that the want of popularity was a very bad sign; for the former system was to a very considerable extent abused by all parties concerned in its administration. As soon as it was announced that that system was about to cease, a rush was to a certain extent made on the public works. Upon those public works no fewer than 730,000 persons were employed in one way or another. The relief committees who ought to have sifted the claims of applicants, only added numbers upon numbers. No exertions were made by the superintending officers to apply a check. His noble Friend (Lord G. Bentinck) complained the other day of the number of persons employed in superintending; but he believed the noble Lord would find that there was no very considerable number so employed, taking into account the numbers admitted to relief. The number of overseers was little more than 11,000; the number of persons employed on the public works exceeded 700,000. The check-clerks were included; and, taking those round numbers, it would be found that there was only one overseer to a gang of sixty-six persons. It was not till the very strong measure was taken of ordering a forcible reduction on the 23rd of March, that any considerable reduction was effected. That measure was attended with complete success; it came at a proper time, when it was desirable that the people

should be employed in the cultivation of the soil. The sowing of the spring crops was the result of discharging those persons. The measure was afterwards repeated, and a further reduction effected. A passive resistance to a considerable extent had been made to carrying out the new system; the committees were exceedingly slow in organizing themselves, and but for the vigorous measures which were taken, it might be doubted whether the new system could have been carried into operation by the time fixed for its commencement. The result of that measure was that the expenditure of the Board of Works was reduced very considerably. For the week ending the 13th of March, the expenditure was 259,000*l.*; for the week ending the 1st of May, the expenditure was 151,000*l.*; for the week ending the 29th of May, the total expenditure for all purposes was 53,000*l.*, including the drainage work, the relief work—everything, in short, carried on under the Board of Works. The sum expended on mere relief works for that week was about 40,000*l.* The expenditure, therefore, of the Board of Works had been reduced one-fifth of what it was on the 13th of March. The new system of relief was in operation in 1,981 electoral divisions, there being 2,050 in all; so that there were no more than seventy exceptions. Making a similar calculation as to the amount of rations issued, these averaged 2,223,000 per day. The expenditure had been kept within just limits; and results which he had not ventured to anticipate early in autumn had been realized. The accounts from all parts of Ireland tended to show such favourable results; and, at an earlier period of the evening, he would have entered further into details. But he must refer to a letter from Sir J. Burgoyne, stating his experience. The letter was dated May 29, and Sir J. Burgoyne said—

"There is a greater tendency to keep down the expenditure and the evil consequences of encouraging a loose system than I expected. The number of destitute to be provided for, will be, I think, much less than I first calculated, and our inspecting officers are generally working with zeal, activity, and, in many cases, with success."

He had also received letters from the north of Ireland showing that the same effects had been produced; and he would read a portion of another letter from a most intelligent magistrate, Mr. Stokes, of Tralee, who said—

"The ration system has certainly one very important effect. Its support, by the levy of poor-rates, brings home taxation more immediately to the landowners and landholders than the road system did; and their minds will, consequently, be sooner impressed with the conviction that the period has arrived when they must employ the people on their estates or farms, or support them in idleness from the produce of them."

It was to the extension of that feeling, more than to anything else, that they must look for improvement; and he might state, on the authority of another letter, that the new system of administration afforded an exceedingly good test of destitution; it was found that those who were not destitute, rather than live on the food distributed in a cooked shape as it was now given, were desirous to procure employment in ordinary labour. Generally speaking, such was the case; but he was sorry to say there were instances in which parties had been doing their utmost to extort money even beyond what could possibly be required for an electoral division. In one place it appeared that the relief committee had sent in an estimate for 2,000 persons more than were in the whole electoral division. He wished further to state, that, in the administration of the funds for the relief of the poor in Ireland, pains were taken to encourage, as much as possible, the voluntary exertions of parties themselves, and in many cases he was happy to be able to state that the wealthier ratepayers subscribed voluntarily for the purpose of relieving the less wealthy persons who were subject to to the payment of rates; and especially in the north had that principle been acted on in the most advantageous manner, and with the most satisfactory results; when the rates came up to a certain amount—when they rose to a certain amount in the pound—the additional grants were made for the aid of ratepayer, but not until then. The last report brought the statements up to the 10th of May, and from that it appeared that the loan with which the Committees had been debited, was 77,000*l.* As respected the whole of the sums to be advanced, the greatest security against lavish expenditure was, that the loans were secured upon the guarantee of the rates to be forthwith levied. This operated as a great inducement to the ratepayers to come forward for the purpose of excluding improper persons from the lists. Upon this part of the subject the Government had been furnished with the following report:—

"Bailieborough Union, May 15.

"The lists of those receiving relief were strictly revised, and the ratepayers evinced the most laudable zeal in unmasking any imposition that existed. They came forward in a body, and in con-

sequence of their statements, which were fully substantiated by proof, the committee were enabled to strike off 100 persons improperly on their lists, being possessed of stock or money. The ratepayers retired, announcing their intentions to protect their own interests and assist the Government, by keeping a strict surveillance over applicants for relief, and immediately reporting any imposition. They received every encouragement."

The foregoing statements showed a striking change and a very manifest improvement upon the old system. There was another point to which it was here necessary that he should advert, namely, the abuses to which the distribution of raw food in many districts gave rise. The people representing themselves as distressed took all possible means to possess themselves of raw food, and the moment they obtained supplies of that description they lost no time in selling them, or exchanging them for spirits or tobacco. The distribution of cooked food was then resorted to with the most successful results. In fact, the distribution of cooked food was the most effectual method of guarding against the abuses which otherwise must have prevailed, and had also produced the best effect on the health of the poor to whom it was distributed. Mr. Fox, a large landed proprietor, who, by the application of much time and attention, had acquired considerable experience in the distribution of relief to the people of Ireland, stated, in his report, that cooked food was not only the most suitable for the purpose of doing justice to all parties concerned, but it was the best calculated to promote the health of the recipients themselves. Cooked food had, therefore, been extensively supplied, and raw food had from that time forward been refused. Guarded by that check, he did hope that the system now in use would continue to be conducive to the health and welfare of the people for whose benefit it was intended; and he trusted that the operation of that system would leave the people in a better condition than that in which it found them. He now held in his hand a statement from Count Stryclycke who was one of the persons employed by the British Association. The statement referred to the Westport union, and was in the following words :—

"Westport, May 4.

"It shows that out of 78,000 souls, 26,350 are actually receiving daily rations; and that the double, but most probably 55,000, will compose the number of the next fortnight's daily issues. However surprising these numbers may be, the admirable adoption and work of the administrative machinery created for the distribution of the rations required, is not less so. The cost of this system of relief will be half of that which preceded it. For 55,000 rations of Indian meal, at 15*l.* per ton, amounted to 2,275*l.* weekly, which, with other contingencies, may reach 2.500*l.*, while the relief through the public works was 4,700*l.*, or thereabouts (weekly average of March), which with the grants made in money and food by the Government, the British and other associations, to five relief committees, and with the not less considerable private charities poured from England, will make a total much above 5,000*l.* of weekly expenditure. But the great recommendation of the present system, abstract of its comparative cheapness, is that besides being more systematic and capable of contracting and extending its issues from fortnight to fortnight, and thus of adjusting and adapting itself to circumstances, it is more effective; for since it came into operation, the afflicting and heartrending crowds of destitutes disappeared."

He ventured to say, that no report could be more satisfactory than that which he had now read to the House; as previous to the period therein referred to, no district could have been more destitute; and besides, it was not to be forgotten that the introduction of that system was attended with only half the cost of a different plan. He believed that the course adopted by the Government had been attended with most beneficial results, and that by means of that system the misery which previously prevailed in Westport and other unions had been materially alleviated. He had now very little more to say. At the time when he made his statement on the subject, and took the first vote, he had warned the House that if the necessity of the case required further votes, he should from time to time apply to the House and take such further votes as circumstances might render necessary. The House, of course, at the time to which he referred, understood, and he might now repeat it, that the money was not all to be issued at once—that it was to be advanced by instalments, according to the need of the several districts. The right hon. Baronet concluded by moving—

"That provision be made, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, for the payment of any sum not exceeding 600,000*l.*, to be advanced by way of Loan, on the security of Rates to be levied in Ireland, to the Relief Commissioners appointed in pursuance of an Act of the present Session for the temporary Relief of Destitute Persons in Ireland."

SIR J. GRAHAM said, the right hon. Baronet had explained his views pretty clearly; but there were two or three points which might require some further elucida-

tion. There was to be, as he understood, a sum of 4,700,000*l.* for public works; one moiety of that had already been advanced, and only one moiety of it was to be repaid in twenty years. [The CHANCELLOR of the EXCHEQUER: In ten years.] Well, in ten years; he wished to know was that to be so? He understood the right hon. Baronet to say, that there were 1,900 electoral districts in which the Relief Act had come into operation. He wished to ask whether the right hon. Baronet could tell what was the estimated cost of 2,200,000 rations daily? next, whether in every one of the 1,900 electoral divisions in which those rations were distributed, a rate had been struck? and whether in every one of those 1,900 a rate had been levied?

The CHANCELLOR OF THE EXCHEQUER replied, that he could not answer at the moment what the daily cost of 2,200,000 rations was; but he might state that the estimate of the accountant of the Relief Commission was that each ration cost 2½*d.*, and that the estimate of the probable amount required to be advanced by way of loan and grant in aid of the rates for this purpose from the 24th of May to the 20th of September, was 2,651,000*l.* With respect to the next question, he had stated that 4,700,000*l.* was the amount issued under the Relief Works Act of last Session, and that this sum was to be repaid by twenty half-yearly instalments. He believed that the rates were struck, or notices given for striking the rates, in all the unions to which any sums had been advanced; but he had not seen any account stating that the rates had been actually levied. He had lately received a Kerry newspaper, containing an advertisement for a person to act as collector in the Tralee union; and he had a letter in his hand stating that the rate had been struck, and notices issued for its collection, in the same union. He believed that matters were in the same state elsewhere.

SIR J. GRAHAM wished to understand if there was to be no second instalment made under the Relief Act without coming to Parliament, unless the rate was not only struck, but in progress of being levied? It would be highly satisfactory to understand this.

The CHANCELLOR OF THE EXCHEQUER said, he had not stated that any such provision was in the Act of Parliament. What he had stated was, that the Government had intimated to the Relief Commission and to the relief committees, that no second instalment would be issued —with certain exceptions in the west of Ireland—until the rates were in the course of collection.

MR. AGLIONBY said, that though this was a subject in which he took much interest, he did not wish to interfere with the functions of Government; but he did wish to see a little more pains taken to ascertain the facts of the case. The amount of money raised for Ireland, whether by gift or loan, was frightful; and the manner in which the money was paid away was more frightful still. He did not believe that even Her Majesty's Government were aware of what was going on in that country; he did not believe that by reading the official documents transmitted to them they ever would became aware of it; and as for the other Members of that House, they knew less than nothing. There were large blue books issued which few people attempted to read, and the few who did attempt to read could not possibly understand them. As a member of a Committee at present sitting up stairs, some facts had incidentally come to his knowledge which showed that there was a scene of indescribable confusion at present going on in Ireland between the Government officers, the relief committees, and those who were getting relief — the Government officers issuing one set of instructions, and the relief committees issuing instructions diametrically opposite, hundreds of labourers without any work, applications not attended to, and people starving. If Government would institute an inquiry to receive *viva voce* evidence, that would give them a more complete insight into the working of the system than they could possibly have from written and printed reports. Without saying who was right and who was wrong, or how the matter was to be remedied, he would only repeat, that the confusion was frightful, the expense appalling, and the relief inadequately represented by the mass of money which was granted.

MR. LABOUCHERE assured his hon. Friend (Mr. Aglionby), that for some time past the attention of Government had been constantly and unremittingly given to the subject to which he had just adverted. For his part, he had never attempted to conceal his impression, that in carrying into effect the system which they had devised for the relief of the destitution in Ireland, under the present extraordinary circumstances, there were the means of immense

abuses. The House was his witness that he had never attempted to conceal this impression. He believed that abuses were the necessary concomitant of these extraordinary measures—measures which were justified by unparalleled circumstances. But, on the other hand, while making that admission, he felt bound to express his deep conviction that but for those measures the distress and misery would have been multiplied tenfold. The bounty of that House—which he had seen no reason to regret—together with the bounty of the country, had been the means of preserving the lives of thousands and hundreds of thousands of their fellow-creatures in Ireland, under the influence of a calamity of an extraordinary nature, the extent of which it was impossible to overrate. With respect to the efforts made to check the abuses, he had no fears of any searching inquiry on the part of that House. He was convinced that the more the matter was looked into, the more that House and the public would be satisfied that, considering the magnitude of the undertaking—which he believed was without a parallel in the history of the world—considering that, at one time, there were employed by the Government on public works no fewer than 730,000 persons; considering that it had been conducted without disorder, and that the peace of Ireland had been preserved all the time; considering all those things, he thought that, on the whole, they would be satisfied that this gigantic undertaking had been carried on as successfully and with as little disturbance as it was possible to conceive under the circumstances of the case. Undoubtedly it was at last found impossible to persevere longer in that system, and that it was necessary, under the altered circumstances of the country, to resort to a different mode of supporting the people. A system of supplying rations of food was again adopted; but it was as impossible for the Government of a country to undertake to feed so immense a mass of people as to employ them. Both of these operations were altogether out of the legitimate course of the Government, and were only to be justified by extraordinary circumstances. The task imposed on the Government could not be undertaken without giving rise to great abuse and evil; but the statement of his right hon. Friend would prove that the expectation held out to the House, that the system introduced would be free from many of the evils which accompanied the system of public works, had not been disappointed. Nothing could exceed the zeal and devoted manner in which the officers of the Board of Works had performed the extraordinary task imposed upon them; they had introduced as much as was possible of regularity and order, and their efforts had successfully checked the abuses which took place under the former system. He never had denied that he thought in very many cases the Government had not received that local support from the gentry of Ireland which they had a right to expect; but, on the other hand, he would never agree to those sweeping accusations which they sometimes heard against the Irish gentry, or that their conduct was universally to be reprobated. He thought that the House would be in error unless they believed that many great pecuniary sacrifices had been made by the gentry of Ireland. He held in his hand a return of voluntary subscriptions made in Ireland for one particular purpose since March, 1846, and he found that from the 25th of March to the 8th of August the voluntary subscriptions to the relief committees amounted to 100,000*l.*; and from September to the 22nd of May, 1847, to 200,000*l.* His hon. Friend the Member for Cockermouth, he was aware, was chairman of a Committee, the duty of which naturally led to an inquiry into the working of this Act in the county of Clare. He had ventured, on a former occasion, to say that that county was a part of Ireland where the Act had been worst carried into effect, and he did not believe that that county was a fair specimen of Ireland in that respect.

MR. AGLIONBY explained that he had expressed no opinion as to where the blame rested, neither had he made any "sweeping charges." All that he had stated was, that hon. Members should be more acquainted with the working of the system than they were; and the scenes of confusion took place which they could not imagine.

MR. ROEBUCK had on many occasions spoken of the Irish landlords as a class, and said they had not fulfilled the duties which devolved upon them as the persons possessed of the wealth of the country; and he thought the statements made by the Chancellor of the Exchequer would go far to justify the expressions he had made use of at the commencement of the Session. He then said that Government was travelling out of its legitimate functions in attempting to feed a whole nation. Finding employment for the whole nation was the

first experiment, and that failed; and then came that of feeding them, and from all he could hear and see that was about to fail also. There was, however, one observation that he wished to make. Hon. Gentlemen did not consider the way in which this interference of Government—in which the right hon. Gentleman (Mr. Labouchere) said they were justified, but in which he could show they were not justified—with the people of Ireland, reacted on the people of this country. Government undertook to feed the people of Ireland; and they fed them on better and more expensive food than they were used to. This, perhaps, could not be avoided; it was the natural result of eleemosynary aid. The Government were unwittingly less economical than the people would have been themselves. If the people had had the same quantity of corn, they would have employed a fourth of it only for food, and the superfluous three-fourths would have been added to the wealth of the country. He believed Government had been anxious to perform its duty, and that the persons under them had also been equally anxious; but he was compelled to say that the morality—the immorality rather—of the Irish Gentlemen had met them on all occasions. There had been neither day nor hour in which the Government had not been crossed and thwarted by interested parties, anxious to turn to their individual benefit the aid of England, and eagerly grasping at all eleemosynary assistance. This state of things was inherent in the mischievous attempt made by Government to feed the whole. This scheme had also fostered the not over industrious habits of the Irish people, weakened the morality of their character, and had broken down or endangered the stability of the whole commercial arrangements of this country. A more dangerous course was never taken by any Government—a more dreadful risk was never run by any people. And he would besides assert and maintain that the Government was not justified in what they had done by the occasion. The hon. and learned Gentleman concluded by a general expression of distrust of the course which the Government had pursued.

Sir J. GRAHAM was anxious to explain the motives which had induced him to put the question he had addressed to the right hon. Gentleman the Chancellor of the Exchequer. He was very far indeed from seeking to impugn the conduct of the Government in this great and dreadful emergency; and he somewhat differed from the hon. and learned Member for Bath, when he said that the attempt to feed the people of Ireland was mischievous; that it was a signal failure; and that it was not justified by the extreme necessity of the present moment. But he must say, that, considering the effect which this unexampled effort had produced on the resources of the richest country in the world, now when this Session was drawing to a close, he thought it right that under present circumstances we should carefully review our position; and he must say, that he could not consider the statement of the Chancellor of the Exchequer a very cheering one. On the contrary, he thought the expenditure that would be still necessary under this Bill a most alarming feature in our condition. Two million rations, at $2\frac{1}{2}d.$ each, involved an expenditure at the rate of somewhere about 600,000*l.* a month, or 7,500,000*l.* a year. This was in addition to an expenditure of 7,400,000*l.* on public works, which were not yet brought to a close; for in addition to 600,000*l.* which would be required for alterations, there was still going on an expenditure of 300,000*l.* for public works. It was important that the position of the Irish landlords should be clearly understood. The whole of the expenditure for rations must be repaid by the landowners and owners of property in Ireland, as he held, immediately. The 7,500,000*l.* a year, or 600,000*l.* a month, was, by engagement under Act of Parliament with the people of this country, to be repaid by the property of Ireland. The repayment of advances for public works was to be a postponed payment, since by the Act it was not to be repaid for ten years, and that by instalments; but, on the other hand, he understood that under the Relief Act the amount of 600,000*l.* a month, as now expended, should be repaid forthwith. It was desirable that there should be no misunderstanding on that point. The expenditure was a large one; and, until the harvest should be cleared, it must go on about the rate he had mentioned. As rates would have to be levied in Ireland, he attached the utmost importance to a system of immediate commencement of levy, even if not to the full amount; yet, at all events, where relief took place, that a levy should be made to defray the expenditure. The question he had put was simply relevant to this point. He did not blame the conduct of the Government,

much less did he dissent from those enactments to which he had given a reluctant but unlimited assent; on the other hand, he thought the Relief Act must be carried into execution immediately, and a levy of rates made without delay.

MR. ROEBUCK wished to put a question he had forgotten to put, of which he was reminded by what had fallen from the right hon. Gentleman. In Ireland there was a Poor Law, with poor rates, and they had seen gentlemen and men of property openly resisting the payment of them; that had been proved over and over again to the satisfaction, he was sure, of the House of Commons. What he ventured to ask of the noble Lord at the head of the Administration was, if Government had formed any determination with respect to this class of defaulters, and had really brought their courage to the point of compelling the law officers of the Crown to carry into execution the law against those parties who thus openly and unblushingly resisted a charitable law, imposing on them the necessity of paying their quota to the relief of the poor? He need not recall to the recollection of the noble Lord that there was case after case of the kind he had mentioned.

LORD J. RUSSELL: I believe, that with respect to those cases—I do not think there was case after case, though there was more than one—where the rates could not be collected, orders have been given that the boards of guardians which did not order the collection of rates should be dissolved, and new boards embodied, which should immediately proceed to the collection of rates. Perhaps, as the hon. and learned Gentleman has stated his views of the subject, I may enter into the question he has again raised—whether or not the system we have been pursuing was, as he says, entirely mischievous. He thinks the relief we have given has completely failed, and that we ought to have entirely neglected or renounced any attempt either to employ or to feed the people of Ireland in this emergency. I do beg the House to consider—the right hon. Gentleman opposite, the Member for Dorchester, seems to have it fully present to his mind—what a very extraordinary case this was. It does not resemble any case that has ever happened in England of a deficiency in the harvest; it does not resemble any of those cases which we hear have given rise to riots and tumults in various parts of the Continent, where the supply of food has been less than that which is usually obtained, and the price of grain has been very considerably raised. The case of Ireland bears no resemblance to any of these; it was a case very considerably aggravated beyond all such cases. It was the case of a people, several millions of whom—say three, four, or five millions—were dependent, not on any regular wages, not on the purchase of food, but on the growth of the potato, which they themselves cultivated, and which in this year failed to an extent, we may say, of four-fifths or five-sixths, in some places more, of the entire amount. The state of society was one which did not afford any easy or prompt remedy for such an extraordinary calamity. Society in Ireland, I need not say, has within it various elements of discord; it has within it, I am sorry to remark, very few elements of harmony. It is not a granite rock with which you have to deal, it is a loose sandstone which forms the composition of society in Ireland. The gentry and landowners have but little hold—I will not say whether it is their fault or not—they have but little hold generally on the attachment of the people. The ministers of religion, again, who have the greatest command over the affections and opinions of their flocks, have but little connexion with, and little respect for, the proprietors of the land. The differences of religion, the differences of politics, are constantly setting class against class, and man against man. The people have been accustomed for many years—at first, I think, rightly accustomed, because it was necessary; of latter years, perhaps, unnecessarily accustomed—to great political agitation, rather to attendance on public meetings and hearing exciting speeches, than to take any practical measures for their own relief. It was upon such a people, and in such a condition of things, that this extraordinary calamity fell. It might have been expected, as it was found, that instead of all the landowners, farmers, and labourers assembling together and devising means whereby they might meet that great calamity, there appeared great apathy on the part of the landowners, very little concern on the part of the tenants, and amongst the unfortunate people themselves who were struck by this calamity, a resignation which, in one sense, was very greatly commendable—a patient submission, which was much to be admired—but at the same time, a want of effort and exertion, which greatly aggravated that calamity under which they were

suffering. I ask the House whether this is a state of things in which ordinary remedies could be applied? I ask them whether it is a state of circumstances in which usual rules could be adopted by a Government? If the answer of the House had been—"Let these people exert themselves; let those who have been united to us now for nearly half a century, find their own way out of these difficulties, and bear the calamity as they may"—if such had been the answer of the House, I must say, that I believe that in such a state of society, if left alone, you would have had irreparable confusion—you would have had immense numbers of deaths, greatly beyond any mortality that has occurred, and such a state of anger, discord, and animosity of class against class, and of all classes against the Imperial Government of this country, that it would have been—I will not say impossible, but—almost impossible to bring society in that country into such a condition as to be recomposed until after a very long period had elapsed. Now, when I say, that such would have been the state of society in Ireland, if the Irish had been left alone, I do not mean to say that the measures proposed and carried into operation by the Government, were such as the utmost wisdom could have devised, or such as were best calculated to relieve the emergency which arose; but I do say that they were in some degree calculated to meet that emergency. For instance, the system of public works greatly resembled the mode of relief adopted in this country in times of extraordinary difficulty, when applied as a test of destitution. In Ireland, however, it has not proved a test of destitution. It has been found that a system which answers extremely well in England, has been a prolific source of abuse in Ireland. Parliament has tried, since the beginning of this Session, a different system, which seems to promise better results, as those who appear to be in distress do not come so readily to receive rations, as to receive money, and therefore the receipt of rations seems to be a more adequate test of destitution than any which we have tried before. At the same time, I do not mean to say that the objections which have been urged by the hon. and learned Gentleman have no weight. I do not believe that the Irish people are naturally averse to labour, but believing that the people are averse, from their circumstances, to labour, I consider that that indisposition to labour has been encouraged by what has occurred. I will admit, also, that with regard to many of the gentry, they are encouraged rather to promote those whom they wish to protect and favour, instead of distributing that relief they are empowered to give according to the most impartial arrangements. I quite admit that those abuses have sprung up, and I will admit further, they were abuses which a Government was bound to foresee, and which we could not well have avoided foreseeing in adopting any scheme of that kind. What, however, I say is, that even these abuses, great as they have been, calamitous in their effects as they may have been, are much less than the sufferings, evils, and confusion—than that demoralised state of the whole country—which we would have had to apprehend if we had not adopted these measures. More than this: after these measures shall have run their course, in future years there will be nothing which shall prevent Ireland being in a better state than she has ever before been at any former period. I consider myself, that if the people do not again place their reliance on the potato—if they do not remain in that low state of society which the exclusive use of potato food has produced, connected with other peculiarities in the condition of Ireland—if that is the case—if the Poor Law acts, as I believe it will act, beneficially, in connecting various classes in that country in one common duty—then I do believe that meeting a great calamity with imperfect remedies, and remedies which have been liable to many abuses, will yet have produced a good effect in that frightful state into which we have fallen, and will lay the foundation for a future condition of greater comfort and greater prosperity in that country. I am sorry to detain the House with these observations; but as the hon. and learned Gentleman so often takes the opportunity of passing these remarks, and as it might be considered and taken for granted that the Government admit their measures to have failed, and that they ought to have abstained—I wish to assert, that I am of the opinion still which I entertained at the commencement of the Session, that it was right to interfere; that I do not know whether it would have been possible for any other Government—it would have been impossible for us—without any experience of such a calamity, to adopt the measures best suited to that calamity and the character of the people of Ireland. And I think it was wise to incur a very great expenditure, even at the expense of the people

of England—even though we have exposed them to very considerable sufferings, and to an enhancement of the prices of their food—rather than to have let Ireland fall into that state which, for my part, I cannot contemplate without the greatest horror, and which I should ever regret having occasioned. The right hon. Gentleman opposite has asked what check we have as to the future operation of the system? We have not, according to Act of Parliament, as he supposes, a check restraining any further sums from being issued without the levying of rates; but we have a certain discretion given to us, which discretion we shall exercise according to the best of our judgment. Where we find that, although the rates are small, and ordered to be levied, yet that they are not levied, and that the absence of levying proceeds not from the entire want of means, but a wish to avoid the payment, we have a discretion, which in such cases I think we are bound to exercise, in not making any further advances till satisfied that the rates have been collected from those whose circumstances admit of their paying them. In such cases the board of guardians, if they refuse to collect, may be dissolved, and a new board appointed, which shall be ordered to obtain such sums as may be required. I quite agree with the right hon. Gentleman opposite that it would be right to use that power; and I do not think we ought to be satisfied that there is money in the Exchequer to be applied to Ireland, without considering what is the ability of the ratepayers in that country to meet the expenses which may be incurred. On the contrary, I think myself that, proceeding from a system of works which were entirely gratuitous, to that system which consists very greatly of advances, but partly of rates, we are accustoming the ratepayers to consider what the charge will be to them; and we are inducing them to look narrowly into the revision of the lists of distressed people. My right hon. Friend has given some instances in which that has taken place. I have seen a great many more letters from different parties, in which they state, that in this revision the ratepayers had been beneficially occupied; and I think, in proportion as the assistance from the Exchequer is withdrawn, and relief comes more entirely from themselves, in that proportion will the country be benefited, and those who are relieved be really destitute, instead of those who by some favour of a member of a relief committee have got places on the relief lists. I should therefore say, that while giving great assistance, great, large, and generous assistance, as I think this country has given, both by Act of Parliament and by spontaneous acts of individuals, in order to meet the calamity of the present year, we should at the same time take care to lay the foundation of a system by which hereafter such relief shall be afforded by those who hold the property of Ireland. My own belief is, that the produce of Ireland, the rents of the proprietors, and the profits of the farmers, are such as to enable them to support, not only the labouring classes, but likewise those destitute classes for whom hitherto they have not provided labour. My opinion is, that this New Poor Law will induce those classes to employ a greater quantity of labour, so that those few who are left to be supported by the poor rates will be in reality destitute; and in this manner, the future improvement of Ireland may be discerned through the gloom and darkness of the present moment. I hope the House will consent to grant these sums. I do not ask the House to grant them in any absolute confidence that the money will be applied without any abuse, and that the revision of the lists shall be so perfect that there will not take place any of the former misappropriations. All I can say is, the best exertions of all the officers of the Government, of those intelligent men at the head of those departments in Ireland as well as those serving under them, will be given to the correction of all such abuses; and in coping with so great and unprecedented a calamity, we ask excuses for the errors we have committed, and support in the efforts we will continue to make.

Sir D. NORREYS would like to know how far the Government would undertake to complete the public works in Ireland, or whether they intended to introduce any measure to compel the completion of those works? He firmly believed that the Government had the best intentions towards Ireland; but they had erred from the very commencement. It was urged upon them over and over to confine their efforts to smaller districts, where abuses could not exist without instant detection. Instead, however, of listening to those suggestions, they made the districts twenty, thirty, and forty miles in circuit; and the result was, of course, extravagance and abuse. He believed the future prospects of Ireland were of the most deplorable kind. He saw no means of getting out of the diffi-

culties which encompassed it. It was said, "employ the people;" but, in the name of God, how were they to employ the people? What means had they? What capital could a country taxed to so enormous an extent devote to the purposes of employment? The position of Ireland required the most careful consideration of the Government; and, in his mind, measures ought at once to be adopted to make Irish property available in every possible way. They must lend money to Ireland, and spend money on her, and thus develop her resources, or a party would rise different to any other yet known in Irish history, who would compel these concessions. They must pursue a liberal course towards Ireland; and they must, without unnecessary loss of time, devise other means to enable the landed proprietors of Ireland to improve their estates, and release them from incumbrance. He wished to impress upon the House that Ireland was in a state when small measures were useless to her. The present Government commenced the Session promising many flattering measures calculated to benefit the country. One of those was to be a comprehensive measure for the reclamation of waste lands; but what had become of it now? Then, there was a railway measure; but even the small concession lately promised had not yet been finally conceded. He begged of the Government to give some comprehensive measures to Ireland.

Mr. ROEBUCK denied that the course of legislation adopted this Session towards Ireland could be styled petty or peddling. Was the voting of eight millions of money a petty measure?

Resolution agreed to.

House resumed, and adjourned at a quarter to Two o'clock.

HOUSE OF LORDS,

Tuesday, June 1, 1847.

Minutes.] Public Bills. 1ª Cemeteries Clauses; Copyhold Commission; Punishment of Vagrants (Ireland); Loan Societies.

2ª Towns Improvement Clauses; Bankruptcy Law Amendment.

3ª and passed:—Factories; Threatening Letters; Naval Service of Boys.

Petitions Presented. From the Rev. John Hawkesworth, M.A. of St. Leonard's Woore District, complaining of certain Grievances suffered by him and his Parishioners in relation to a Female Benefit Society established by him; and for Relief.

NAVAL PRISONS BILL.

House in Committee.

The Earl of HARDWICKE said, that though not an opponent of the Bill, he was only a weak supporter, and he was therefore exceedingly desirous of modifying its principle; for he believed that the punishment against which it was directed was not unpopular in the profession. The men in the Navy, when they committed a fault, expected corporal punishment; they looked for it, as they said, as their due, and did not complain when it was inflicted. But this Bill imposed a punishment which was, of all things, most detested by them; for they would barter their liberty for no advantage whatever. He said he did give the Bill his support, although the measure was of a very doubtful character; for the moment the vessel went out to sea, the lash was resumed; and this Bill served rather to satisfy the public mind under the eye of the press. He meant to propose an Amendment on the first clause to the effect of retaining the entire control in the sole hand of the captain.

The Earl of AUCKLAND said, that no very extensive change was intended by this Bill; but that it was rendered necessary by the diminution of corporal punishment. With regard to the latter, there was a strong feeling at the Admiralty that while corporal punishment was in some cases necessary, it should be as limited as possible. The proportion of corporal punishment now was not half what it had been ten years ago; and only one-tenth as compared with the punishment of half a century ago. With regard to the Amendments of which notice had been given, no objection would be made to the bulk of them; there was but one which he should feel it his duty to oppose.

The Earl of ELLENBOROUGH said, he thought the Bill very deficient in clearness; it gave the officer who preferred imprisonment to corporal punishment the right of postponing that punishment, even if his ship was in the middle of the Atlantic, and no admiral was at hand to refer to, though the delay might occasion the loss of the vessel. Prompt punishment was in such cases most frequently the best possible mode of punishment, and often the only means of maintaining that discipline without which no ship would be safe for four-and-twenty hours. His principal objection was, that the Bill did not contain the whole of the law on the subject of punishment. An order of the Admiralty had the effect of law, and there was such an order regulating punishments in port; and the Bill before them regulated the infliction

of punishments out of port. The whole ought to be included in the Act, so that the whole matter might be placed on the same footing.

The EARL of AUCKLAND said, that the operation of the one was very local, and the other very general, and he was afraid the attempt to combine them would be attended with disadvantage.

EARL GREY said, that the Bill placed a discretionary power in the hands of the officers; and he begged to ask the House whether the likelihood of officers abusing that discretionary power, which was the only point in the objections of the noble Earl (the Earl of Ellenborough), was any good reason why they should be relieved from all restrictions in relation to corporal punishment?

The EARL of ELLENBOROUGH replied, that what he said was, that the law should be made distinct and clear, which was not the case at present.

After some further discussion, certain Amendments were reserved until the report should be brought up, and the Bill passed through Committee.

House adjourned.

HOUSE OF COMMONS,

Tuesday, June 1, 1847.

MINUTES.] PUBLIC BILLS.—1° Warwick County Prison.
PETITIONS PRESENTED. By Mr. F. Scott, from several places, against the Marriage (Scotland) Bill.—By Mr. Chaplin, from Salisbury, for Regulating the Qualification of Chemists and Druggists.—By Viscount Ebrington, from Members of the Chambers of Commerce of the Port of Plymouth, against the Repeal of the Navigation Laws.—By Mr. F. Scott, from several places, against the Registering Births, &c. (Scotland), and Marriage (Scotland) Bills.

HONG-KONG.

DR. BOWRING inquired whether an ordinance issued by the Governor of Hong-Kong, dated the 11th of March last, appropriating 4,600*l.* of the revenue of that colony to the building of an Anglican church, for the exclusive service of the members of the Establishment, had received the sanction of Her Majesty's Government? And also, whether an ordinance of the same date, which repealed the ordinance of 1844, by which British subjects had certain rights of appeal in the Supreme Court of Judicature against consular decisions, had been approved by the Home Colonial Government?

MR. HAWES begged to state, in reference to the first ordinance inquired about, that in 1843, when Lord Stanley was Secretary of State, Sir H. Pottinger brought under the notice of the Government the necessity of building a church for the colony of Hong-Kong, and inquired whether any contribution would be made from colonial sources. The reply was, that if one-third were raised by private subscriptions, the remaining two-thirds would be contributed from the colonial revenue, and one-third was subscribed accordingly. Estimates and plans were obtained, and an ordinance was passed carrying the proposal into effect; and, as a matter of course, it became the duty of the head of the Colonial Department to sanction that ordinance, as it was in conformity with the pledge given under which the money was subscribed. With regard to the second ordinance, he was not able to give any information at present, inasmuch as he had not received the ordinance, and knew nothing about it.

TAXING COSTS—RAILWAYS (IRELAND).

MR. GOULBURN had a question to ask the Solicitor General for Ireland. By an Act passed in 1844, a regulation took place in the courts of law in Dublin which very considerably reduced the expenditure of those courts, and settled that there should be only one Master in the Court of Queen's Bench; particular duties were assigned to him, and the taxation of costs was transferred to another officer in order that he might attend to those duties. But by the Lands' Clauses Consolidation Act, there was thrown upon the Master, in common with Masters of the Queen's Bench in England, the duty of investigating all questions of costs arising out of certain transactions with railway companies; and the effect had been that, there being only one Master in Ireland, while there were five in England, he was overwhelmed by this class of business, and incapacitated from discharging his other duties. Was it intended to correct this error by bringing in a Bill for that purpose?

MR. MONAHAN stated, that the provision of the Bill passed in 1845 might perhaps have been introduced by oversight. The framer might not have been aware that the officer named therein was not the proper officer for the taxation of costs. That officer had stated his objection to having functions imposed upon him which did not fall to his particular office, and urged that it was only right that he should receive remuneration. The officer to whom it had been proposed that the duty should

be transferred, also thought he should receive compensation, because the duty was a new one. So far as he was personally concerned, he had not the means of satisfying himself that it was a case in which compensation ought to be made to either of those officers; and even if he were satisfied that the case was one for compensation, he had not the means of satisfying himself as to the amount which ought to be awarded. Under these circumstances, he did not feel that at this advanced period of the Session he was called upon to state what precise course he might take, or to pledge himself to bring forward any immediate measure on the subject, which, however, was certainly one that required further consideration. [Mr. GOULBURN wished to guard against the supposition that he was applying for compensation.] The difficulty he felt, was in determining whether it was a case for compensation to either of those officers. If he were to determine that it was a case in which compensation should be given, there would not be much difficulty, perhaps, in ascertaining on which officer the duties ought to devolve.

SIR R. PEEL: Having some experience in Irish affairs, I would advise the hon. Gentleman to enter on the inquiry with the presumption against giving compensation. In the statement which fell from the noble Lord (Lord J. Russell) last night, relative to the public business, he did not mention the Bill in regard to Irish railways. Communications have been addressed to me urging the claims of other railways; and the parties represent that they cannot see how, in fairness, they can be excluded. I discourage all pretensions to advances; but what they wish to know is, whether it is the intention of the Government to extend the grant beyond the amount already given?

LORD J. RUSSELL: A report was presented the other day on the subject by Mr. Walker, which will soon be ready for delivery. When laid before the House we shall be better able to proceed to the consideration of the question; but the Government do not mean to extend the vote beyond the amount already proposed. I did receive some intimation that the right hon. Baronet intended to bring forward the cases of certain other railways, and press them upon our attention for the extension of the grant; but I must say I did not believe it.

SIR R. PEEL: Having given a civil answer to the parties, I declined to interfere; and there is no other foundation for what it is said I intended to do than that I declined to do it.

SIR EARDLEY WILMOT—ORDER OF PRECEDENCE.

MR. SPOONER trusted that the noble Lord who had a notice of Motion on the paper for that night relative to colonisation, would give him permission to bring, in the first instance, under the notice of the House the case of the late Sir Eardley Wilmot. Nothing was likely to fall from him likely to provoke debate. He wished simply to state the charge against Sir Eardley Wilmot, and the manner in which the charge had been refuted. He believed that refutation would be admitted and confirmed on the part of the last Government; and he had every reason to hope that hon. Gentlemen opposite would not feel it necessary to enter into any discussion. At the present moment, under the melancholy circumstances which had occurred, and amidst the deep grief to which they had given rise, it was particularly desirable that the refutation of such charges as had been made should be forthwith stated.

The EARL of LINCOLN, though most unwilling to postpone his Motion, could not consistently with his own feelings refuse his assent to the proposal of his hon. Friend; but he should not feel himself justified in yielding precedence unless others who had also Motions on the Paper were prepared to take them in the same rotation, as if no precedence had been given to the hon. Gentleman.

MR. HUME, as next in rotation, had to say that he was not disposed to accede to the request which had been made. No speech could be made by the hon. Gentleman which would not elicit a reply.

MR. HAWES stated that the subject would occupy but a very few minutes, so far as regarded any explanation he had to make.

The EARL of LINCOLN wished to ask a question as to a point of form. There were several notices after that of his hon. Friend the Member for Birmingham. Even if precedence were given to the hon. Gentleman by himself and all those whose Motions intervened, would those who followed the hon. Gentleman in the order of the Motions on the Paper have precedence of those who had yielded their precedence in favour of the hon. Gentleman?

MR. SPEAKER replied, that the general understanding of the House seemed

to be in favour of giving precedence to the hon. Member for Birmingham; and when the hon. Member for Birmingham had concluded, the course which he apprehended he should have to take was to call upon the noble Lord.

MR. HUME must protest against interference with the order of business without reason assigned. The present was the only case of its kind which he believed had ever occurred in the history of Parliament. Whatever was said would be said under the feeling that nothing should be said which might be considered offensive.

SIR J. GRAHAM would regret any departure from the established rules of the House. But, at the same time, he felt there was almost injustice in postponing a statement of what were the circumstances of this melancholy case, affecting a gentleman who had long sat in that House. The least possible delay ought to be interposed before an explanation was given. It appeared to him that on Thursday next a most legitimate opportunity would present itself, in connexion with the transportation question, for bringing forward the subject.

SIR G. GREY knew not whether he should be grateful to the right hon. Gentleman for his suggestion. The subject of transportation had been postponed from time to time, and it was desirable that it should be kept quite distinct from any incidental questions. He had hoped the hon. Member for Montrose would acquiesce.

MR. HUME then rose and said, he declined to give the hon. Member for Birmingham (Mr. Spooner) precedence of his Motion.

LORD J. RUSSELL said, he should have been glad if the hon. Member for Montrose would have allowed the hon. Member for Birmingham to go on. At the same time, if the hon. Member insisted upon claiming his privilege, he thought it would be an inconvenient course for the House to overrule him, and to declare by any vote or majority that the hon. Member for Birmingham should have precedence. Therefore, while he should be happy if his hon. Friend (Mr. Hume) would wave his privilege, at the same time, if he insisted upon it, he must support him.

COLONISATION.

The EARL of LINCOLN then rose to bring forward the following Motion:—

"That an humble Address be presented to Her Majesty, praying that She will take into Her most gracious consideration the means by which Colonisation may be made subsidiary to other measures for the improvement of the social condition of Ireland; and by which, consistently with full regard to the interests of the Colonies themselves, the comfort and prosperity of those who emigrate may be effectually promoted."

He said: When I consider the importance of the subject which I have undertaken to bring before the House this day—when I reflect upon the extent of the subject, whether in reference to the magnitude of the interests involved, or the difficulty of its details—not less when I bear in mind the many occasions on which it has been ably and eloquently discussed, not only by some who are now no longer Members of this House, but by some who are present to listen to the observations with which I must preface my Motion; I do feel that I stand greatly in need of the indulgence of the House, and that it is necessary for me at once to put forward an appeal, that no deficiency on my part may be allowed to interfere with the Motion itself, but that it may obtain, as I think it deserves, the deliberate attention of this House and of the Government. I trust, however, that I shall not be obliged to trespass upon the attention of the House at any very considerable length; for, wide as is the circle within which this subject is contained, and comprehensive and intricate as are its details both in its domestic and colonial bearings, still, for the specific purpose for which I now bring the subject of colonisation before the House, I feel that it is only requisite for me to make a statement of some few simple facts, and put forward some few plain principles, in order to induce the House to urge upon the Government—and, I hope, to induce the Government to concede—the Motion with which I shall conclude. And here, before I enter upon the subject, I hope I may be allowed to assure hon. Gentlemen on both sides of the House, that I placed the notice of my Motion on the books with no reference or intention of any bearing whatever upon party feelings or party interests. I shall endeavour, moreover, in dealing with this subject, so to advocate my Motion as to place no obstacle whatever in the way of hon. Gentlemen on either side of the House giving it their support. I shall endeavour to say nothing in the course of the observations which I shall address to them which shall prevent that unanimity in the adoption of my Motion, which, in the absence at present of any intimation of an opposite in-

tention on the part of the Government, I yet hope and expect to see accorded to it. A reference to the terms of the Motion with which I shall have the honour to conclude will prove, I think, to the House, that it is not my intention—and in case of any misunderstanding on the subject I take the earliest opportunity of assuring the House that it is no part of my purpose—to bring forward any new plan of colonisation for the relief of Ireland; neither is it my intention to advocate upon this occasion the merits of any particular plan out of the many which in the course of the last twenty-five years, up to the present moment, have been propounded to this House and the public; but my simple object is to endeavour to obtain from Government an inquiry, by means of an unpaid Commission of able and competent men whose services the Government may feel themselves at liberty to command, into the means by which colonisation may be carried out with reference to the immediate relief of Ireland, and as bearing on its present condition—an inquiry which, in my opinion, must be made to embrace three points — whether colonisation can be rendered applicable to the relief and benefit of those who shall remain in Ireland; whether it can be made conducive to the increased happiness of those who may leave the country; and, thirdly—and this is not the least important point—whether it can be carried out consistently with the interests and feelings of the colonies themselves. I do not know whether it is necessary to assure the House that I refer to colonisation as distinguished from emigration; for if the three objects to which I have alluded cannot be obtained—if the result of the inquiry should be to prove that any one of these three objects cannot be accomplished, I, for one, shall not in future advocate any measure of this kind; for I certainly would not place myself under the imputation of bringing forward any measure which shall be justly characterized as "shovelling out paupers"—a term which should be most applicable in that case—a term which was introduced, if I remember rightly, by the hon. and learned Gentleman the Judge Advocate; but by whomsoever introduced, is, I believe, an apt illustration of emigration as carried out without system and without proper management. So cruel do I consider the operation of such a system, that, bad as is the condition of the people of Ireland at this moment, under the calamity which it has pleased Providence to inflict on them, yet sooner than carry out any system which could be justly characterized as "shovelling out paupers," for the benefit of those that remain in the country, I would think it far more humane and justifiable—horrible as the alternative is—if indeed it were the only alternative—to leave them in their present condition to starve and perish. Now, in asking for a *bonâ fide* inquiry, with a view to action at the earliest period in the ensuing Session of Parliament, and abstaining, as I have said I am about to do, from prejudicing the inquiry by propounding any project of my own, or advocating any of the specific plans of others which have been more or less before the public, either now or at a previous period, I think I ought also to state that I am about to advocate colonisation for the relief of the condition of Ireland, not as a panacea for the evils of that country, but as a measure auxiliary to others of a different nature having more immediate reference to the social amelioration of the people; as a measure in aid and assistance of the Poor Law, which is, I imagine, about to receive the sanction of the three branches of the Legislature, as a necessary adjunct to that measure, and without which, I firmly believe, that it will fail to have the beneficial effect which it is intended to produce—I had almost said, that without this adjunct it may even aggravate the evils it is intended to cure. I look upon a measure of colonisation, if I may so say, as a remedy in some sense similar to that of bleeding in the human frame, as a process of depletion which is undertaken not so much in reference to the immediate result which it is calculated to produce of itself, as with a view of rendering possible the application of other remedies, which without it would be either noxious or at best ineffectual. I think I shall best consult the convenience of the House, if, before entering upon the other points connected with colonisation, I first deal with what may be called the Irish portion of the case. In doing so, I would wish to consider for a moment what ought to be the great and statesmanlike objects of a Poor Law; secondly, whether the Poor Law, unaided, is able to accomplish those objects; thirdly, if it is unable, unaided, to accomplish them, what measures Her Majesty's Government, or any other parties, propose to aid it; and fourthly, how far colonisation is entitled to take a prominent position amongst measures proposed for such a purpose. Independently of the ob-

ject of relieving the distress caused by the failure of the potato crop, as a staple article of food in Ireland, I imagine that the Poor Law is intended not merely for the relief of the permanent destitution which always exists in that country, but, as I think the noble Lord at the head of the Government himself stated in a very able speech on the subject of the Poor Law at the commencement of the Session—I am not sure of his words, but I remember the meaning of his speech—to give a stimulus to the increased employment of labour, and the improved cultivation of the soil, and apply an incitement to the skill of the farmer, and the industry of the labourer. I do not know whether he added—but it is a necessary consequence—that you would thus give an increased security to life and property, without which I am satisfied you cannot have that great requisite of Ireland —capital. You may stimulate it artificially as much as you will by Treasury loans and grants and other means; but without the security of life and property, capital will never flow into that country. Without security to life and property—that first and greatest element of the social amelioration of the country—Ireland must still proceed in the miserable vicious circle of pauperism and crime. Now, I think that neither Government nor any Member of this House is prepared to say, that although these are the legitimate objects of any measure of that kind, it is possible that the Poor Law unaided can accomplish them. And first, I think that, bearing in mind that we are not legislating for what I hope may, to a certain extent, be considered a temporary calamity—we may with advantage inquire what is the permanent condition of that country. I hope the House will excuse me if I read two or three sentences from an able document, which may be familiar to many Members in consequence of previous discussions—I mean the report of the Commission of Inquiry into the Poorer Classes of Ireland, which report was laid before this House in 1836 :—

"There is not in Ireland the division of labour that exists in Great Britain ; the body of the labouring class look to agricultural employment, and to it only, for support ; the supply of agricultural labour is thus so considerable as greatly to exceed the demand for it ; hence come small earnings and wide-spread misery. It appears that in Great Britain the agricultural families constitute little more than a fourth, while in Ireland they constitute about two-thirds of the whole population ; that there were in Great Britain in 1831, 1,055,982 agricultural labourers, in Ireland 1,131,715, although the cultivated land of Great Britain amounts to about 34,250,000 acres, and that of Ireland only to about 14,600,000. A great portion of them are insufficiently provided at any time with the commonest necessaries of life. Their habitations are wretched hovels ; several of a family sleep together upon straw, or upon the bare ground, sometimes with a blanket, sometimes even without so much to cover them ; their food commonly consists of dry potatoes, and with these they are at times so scantily supplied as to be obliged to stint themselves to one spare meal in the day. There are even instances of persons being driven by hunger to seek sustenance in wild herbs. They sometimes get a herring, or a little milk, but they never get, meat, except at Christmas, Easter and Shrovetide."

I will pass over several other passages equally important, being unwilling to trespass on the House at too great length, but I will just read two further extracts from this report :—

"The difficulty too in Ireland is not to make the able-bodied look for employment, but to find it profitably for the many who seek it. There are, as we have shown, in Ireland, a greater number of labourers absolutely than in the whole of Great Britain, more than double the number relatively to cultivated land, and more than four times the number relatively to the produce." "Now, according to the third table annexed, we cannot estimate the number of persons in Ireland out of work and in distress, during thirty weeks of the year, at less than 585,000, nor the number of persons dependent upon them at less than 1,800,000, making in the whole 2,385,000."

Now, as this report was made in 1836, and as eleven years have passed over our heads since then, I am sure that I shall not exaggerate when I say that we may fairly calculate the numbers now at 2,500,000. Assuming, then, that the numbers have now increased to 2,500,000 ; and calculating, as the Commissioners do, upon only thirty weeks of distress to be relieved by means of a Poor Law—and I fear that, under the circumstances of the country, so altered as they are since that report was made, I might take an increased ratio without danger of exaggeration—and supposing that their maintenance costs 1*s.* 6*d.* per week each person (and it is surely impossible to place it lower)—that would give 187,500*l.* per week ; or, for thirty weeks' distress, 5,625,000*l.* Now, the net annual value of the property rated to the relief of the poor in Ireland, is 13,404,403*l.* But in addition to the rate for the relief of the poor, we must, with a view to ascertain what the burdens upon the land will be after the passing of the Poor Law, take into account the average of the county-cess, which amounts to 1,158,327*l.*, making, with the addition of the rate for the poor, the total average

charge on the property of Ireland no less than 6,783,327*l.*, being more than a half of the net annual value of the property rated for the poor—for it leaves only a residue of 6,621,076*l.* Now, it is hardly necessary to point out to the House, that if I have not over-estimated this tax—and certainly I cannot think that the calculation which the right hon. Gentleman the Secretary of State for the Home Department made in the course of a preceding debate, that the expense would not exceed 2,000,000*l.* a year, is in any way justified, because he did not take into account the altered circumstances of the country, the potato being now no longer a staple article of food—if I say, I have not over-estimated this tax, it is clear that under the operation of the Poor Law the means of employment will be very much diminished—that consequently the amount of destitution will be so greatly increased that the produce of the land will soon be entirely consumed, and we must go on from bad to worse unless some additional measures be brought in in aid of the Poor Law. I have, perhaps, ineffectively expressed my meaning to the House; but I may be allowed to quote the opinion of far more able men with reference to the enactment of a Poor Law:—

"The rental of the country at present goes to feed commerce, to give employment directly or indirectly to profitable labourers, and to keep society in a healthy state. If any considerable portion of it were devoted to the support of unprofitable labourers, it would be in a great degree consumed without being reproduced, commerce must decay, and the demand for agricultural produce and all commodities (save potatoes and coarse clothing) must immediately contract; rents must, therefore, diminish, while the number of persons out of employment and in need of support must increase, and general ruin be the result."

But there is another cause which will materially tend to the same result. I find from a poor-law return which was made in 1843 respecting the valuations of the unions in Ireland, that the number of persons rated for the relief of the poor was 1,139,692*l.*; that the number rated under 1*l.* was 180,946; above 1*l.* and under 2*l.*, 164,357; above 2*l.* and under 3*l.*, 117,812; above 3*l.* and under 4*l.*, 90,824; total under 4*l.*, 553,939, nearly one half the number rated being under 4*l.* Now, I think that this will have the effect I anticipate, from two causes. In the first place, the landlords, from the increased burdens imposed upon them by the poor rates, will be more anxious than ever to consolidate their farms, so as to bring them into the hands of tenants rated at above 4*l.*, at and below which the landlords themselves are responsible for the rates. In the second place, the clause of the Poor Relief Bill which compels persons to give up the land in the event of their coming upon the parish for relief, will have a tendency to induce people to abandon their land, and claim relief somewhat hastily in many instances. From both these circumstances, the one acting upon the other, the effect will be that an increase in the number of paupers will be engendered. I know that it may not be fair to quote the extent of relief which has been given under the Labour-rate Act, or the amount of expenditure which has taken place, and must yet take place, under what is known as the Soup Kitchens Act. But, at the same time, I have heard from parties resident in Ireland, even so lately as this morning, that their estimates of this last Act were underrated; and that, as it comes gradually into operation, there will be a far greater amount of pauperism to be relieved than was anticipated. But upon this part of the subject I have a right to quote from a return of the valuation and population of Ireland moved for by the hon. Member for Wycombe (Mr. Osborne). I find that in the union of Westport the poor-law valuation in 1841 was 38,876*l.*, and the population 77,952. I find that in the union of Glenties the poor-law valuation was 16,330*l.*, and the population 43,571; being, in the case of Westport, a valuation of not quite 10*s.* per head of the population, and in the case of Glenties 7*s.* 6*d.* per head. It ought to be remembered that these valuations were made under the system of potato culture, and that alarming as is the case presented by these figures, the present value must actually have been considerably reduced, owing to the altered state of cultivation. In England we are apt to consider the rent as constituting one-third of the produce of the land—one-third going to the landlord as rent—another third for the labour and maintenance of the farm—and the other third for the profits of the farmer. Now, taking this calculation to be a fair one, I find that it gives only 30*s.* per head per annum in one case, and even less in the other. All I am anxious to show to the House is—that it is impossible in these unions, do what you please, confiscate the land if you will, to maintain the population out of the poor rates, and that, either by means of further advances from this country in future years, or by some such means as I now advocate, some measure

must be found auxiliary to the Poor Law. I will not trouble the House with any more facts and figures on this point, because I cannot help thinking that I have sufficiently proved to the House that the Poor Law unaided cannot give that stimulus to the employment of labour which all desire, but that the reverse must be the result. The Poor Law, if passed forty or fifty years ago, might by this time have effected its true objects; but, if passed now, it is likely to perpetuate the evils which already exist, unless, in aid of it, measures for the social and industrial reform of the country shall be speedily, if not immediately, introduced. I now come to the second point—the consideration of the measures which Government has produced in aid of the Irish Poor Law. In the first place, there is the loan of a million and a half to the landlords to enable them to improve their estates—I am, of course, speaking of the measures originally proposed; the second measure was the advance of a million for the reclamation of waste lands; the third was a Bill to facilitate the sale of estates; the fourth was an advance of 50,000*l.* for piers and harbours; and the fifth was the advance of 620,000*l.* for three railways. Of these measures the second, namely, the proposed advance of a million for the reclamation of waste lands, has been already given up by the Government; and it is unnecessary for me to say a single word respecting it, except that I, for one, think the Government acted wisely in abandoning it. With respect to the Bill for facilitating the sale of encumbered estates, I conceive it to be a wise and beneficial measure; but at the same time it appears to me that as bearing upon this question—as a measure in aid of the Poor Law—it is not likely to have any immediate effect, and I will state the reason why I think so. I apprehend that during the anxiety which now prevails with respect to the new tax about to be imposed upon the land in Ireland, it is not likely that a great many persons will be willing immediately to invest money in that description of property in that country, though I hope that when this cause ceases to operate, the future effect of the measure will be large and beneficial. But, on the other hand, if a larger quantity of land should be thrown upon the market than I anticipate would be the case at present, the consequence must be that the price would be greatly reduced for a time, which would render the effect of the law non-immediate. I think, therefore, that we ought to put that measure out of consideration for the present; and thus there remain to be considered only the three money grants proposed by the Government; and to these I wish shortly to draw the attention of the House, with the view of ascertaining how they can aid, and to what extent mitigate, the new tax about to be imposed upon the land. With respect to the 1,500,000*l.* to be advanced to the Irish landlords, I fear that in the present distressed state of many of the smaller landowners in that country, a large proportion of the sum will be absorbed by those proprietors who least require such assistance. I fear that those who have English estates, money in the funds, or other resources, are the parties who are most likely to borrow the money, and that the small proprietors of the south and west of Ireland, already suffering severe distress, and seeing little likelihood of obtaining an increase of rent from their land, in consideration of the money which it would be necessary to invest in improvements, will borrow but little. Without dwelling upon this point, however, I assume that a million of the whole sum will be spent in the first year; and, recollecting the calculation made with respect to a similar measure applicable to England and Scotland, which was passed in the early part of the Session, that is giving a large proportion indeed, and one greatly beyond what I expect to see realized. I wish to see to what extent the expenditure of that sum would relieve pauperism. The wages of a labourer at 7*s.* per week, would amount to 18*l.* 4*s.* per year; and, at that rate, the million would support not quite 55,000 persons. With respect to the Piers and Harbours Bill, I think I might fairly assume that a very small portion of the labour called into action under the operation of that measure, would be of the class called unskilled; but as I am anxious to state the case as unfavourably for my own views as possible, I put that circumstance altogether out of consideration. I assume, then, that the Piers and Harbours Bill will give employment to 2,750 labourers. It is difficult to calculate what amount of labour the 620,000*l.* advanced to three railway companies will command; but, taking the highest calculation made in previous debates, I will put it down at 40,000. Thus it appears that the total number of persons who can obtain employment by means of the three money grants of the Govern-

ment, amounts to 97,750. To simplify the matter, I shall assume that the number of labourers to be employed will be 100,000; and add to them their families, allowing five persons to each family, there will be 500,000 persons to be deducted from the number I have already stated as likely to be a burden on the poor rates of the country, and there will then be left 2,000,000 of destitute persons for thirty weeks in the year. I have gone through all the measures which the Government has proposed in aid, as I term it, of the Poor Law; and I will not allude to any measures proposed by other parties which have not received the sanction of the House and are now before Parliament. I shall not, for this reason, refer to the proposition submitted to the House by the noble Lord the Member for Lynn, nor to the scheme which has been so ably, but, as I think, so erroneously, propounded by one of the leading newspapers of this town, for establishing a peasant proprietary over the waste lands of Ireland; but will confine myself only to those measures which have either passed or are likely to pass through Parliament during the present Session. I am aware how tedious the details with which I have to deal must appear to the House, and how incapable I am of imparting to them an interest which their nature will scarcely admit of; but, unless the data which I have assumed be disputed, I think the House must perceive that I have established the fact that the Poor Law is, in itself, inadequate to the object for which it is intended, and that no efficient aid will be given by the subsidiary measures already proposed by the Government. I now come to the fourth branch of my subject, namely, the consideration of the question how far colonisation may be looked to as one, and that the prominent, means of effecting that improved condition of Ireland which it is the object of the Poor Law to accomplish. The noble Lord at the head of the Government and other hon. Members have more than once expressed an opinion that after the passing of the New Poor Law, the cultivation of land in Ireland will improve. I do not mean to say that the noble Lord stated that the Poor Law in itself would be the means of that improvement; but that, taking into consideration the stimulus which the law would give to employment, and the measures which he anticipated would flow from it, the cultivation of the land might naturally be expected to improve. I apprehend that this anticipated improvement cannot take place as long as there exists in Ireland that minute subdivision of property which at present prevails in many parts, I believe I may say in most parts, of that country. I have already shown that more than half the persons rated to the relief of the poor in Ireland pay rents under 4*l.* a year; but I think I can quote some figures which will still more strongly illustrate this point. The Census Commission of 1841 gives these details respecting Ireland:—

The population	8,174,266
Acres of surface of Ireland ...	20,808,271
Of these—arable	13,464,300
— waste	6,290,000
Remainder, towns, plantations, and under water.	
Number of persons holding land ...	935,448
Of these, persons holding from 1 to 50 acres	834,574
From 1 to 10 acres	505,173
From 1 to 5 acres	317,264
Not more than 1 acre	135,314

That is the general state of Ireland; and although I am unwilling to refer to particular cases, I would wish, if I am not wearying the House, to be permitted to allude to one. The case I mean is referred to in the correspondence on Irish distress, Board of Works series, and contains an analysis of the recognised tenants on the Marquess of Bath's estate in the barony of Farney, in the county of Monaghan. The analysis is as follows:—

	Number of Tenants.		Number of Tenants.
Rent not exceeding ...	...£1 ... 195	Rent not exceeding ...	...£20 ... 80
—	2 ... 223	—	24 ... 52
—	3 ... 240	—	28 ... 22
—	4 ... 290	—	40 ... 42
—	6 ... 443	—	50 ... 14
—	8 ... 344	—	60 ... 4
—	10 ... 218	—	70 ... 1
—	12 ... 136	—	80 ... 14
—	16 ... 170		
		Total ...	2,488

About 1,000 more persons were found upon the estate who were not recognised as tenants, and who either subsisted on some still more minute subdivision of property than that officially recorded, or else were established there by the agency of that dreadful system called the conacre system. The House will observe, that of the 2,488 recognised tenants, 948, or greatly more than a third, pay from 1*l.* to 4*l.* rent; and 1,954, or four-fifths of the whole number, pay less than 10*l.*; whilst only fourteen pay 50*l.* I ask the House whether it is possible that, under such a system, any improvement in the cultivation of the soil can take place? Is it possible that the

rotation of crops, which everybody knows is essential to good husbandry, can be observed? Is it possible that improvement in stock can be effected? Can we possibly expect that skill and capital will be directed to the cultivation of the soil so long as land shall continue to be held by a tenure such as this? In the course of last autumn, in visiting many parts of Ireland, I availed myself of the opportunity of inspecting an estate belonging to the noble Lord the Secretary for Foreign Affairs. I assure the House I would not allude to the owner of the estate by name if I were not prepared, by ocular proof, to testify that the estate is managed with the greatest liberality and generosity. If, indeed, there be any error in the management of this estate, it is that too large an amount of money is invested in buildings and other works. The adjoining estate, belonging to Sir Robert Gore Booth—a landlord, who has recently been mentioned in this House in terms of deserved commendation—is also excellently managed. These two estates comprise 16,000 acres, the population is 8,750, and the yearly value 5,235*l.* Will the House believe, that in such a district, with a surface of 16,000 acres, a population of nearly 9,000, and a yearly value of 5,235*l.*, the number of acres under corn cultivation was only 432? Whilst such a system as this continues, even if it were possible or just to other parts of the United Kingdom to continue grants and loans from the Treasury, would it be rational to hope for any improvement in the state of Ireland, or to expect that any influx of capital could effect the desired object? It has pleased Providence to cause a transition in the food of the Irish people from a low to a higher class; and I apprehend that the necessary consequence must be, if the country is to maintain its population—a transition in husbandry also from a lower to a higher condition. Without that, and without the consolidation of the land, no combination of labour, such as exists in England and Scotland, can be hoped for. But the introduction of improved husbandry must necessarily for a time diminish the amount of labour employed in the cultivation of the soil. This is illustrated in the statement which I quoted from the report of the Commission of Inquiry into the Condition of the Irish Poor, in which it is stated that the proportion of labourers employed in Ireland and England was as five to two, although the quantity of land cultivated was less in the former than the latter. I am not unaware of the difficulties as regards the social condition of Ireland, which present themselves to any change of this kind, and I am not unmindful of all the evils attendant upon the clearance system on estates; but the attempt to consolidate farms in Ireland would now meet with less opposition than it would have experienced at any former period, in consequence of the tenacity with which the people have heretofore clung to the possession of land being relaxed. The feeling which has hitherto existed in Ireland with respect to the possession of land, would have rendered it not only impolitic but unjust in the State to interfere in the manner I desire. During my short connexion with Ireland, I had opportunities of ascertaining how strong that feeling was; and I will say that I have always, both in public and in private, condemned as unequivocally as any man what is called the clearance system. But a different state of things now exists in Ireland; and, so far from there being an indisposition to abandon small holdings, I believe that in many parts of Ireland landlords find it difficult to induce small tenants to remain on their holdings. I was informed within these few days by an Irish landlord, that he, having afforded to nearly 1,000 persons on his estate the means of leaving their native shores for Canada, upwards of 2,000 persons more pressed him to confer the same boon upon them, and he was only prevented from doing so by the enormous expense which he had already incurred, and which disabled him from assisting the others, at least for the present. I denounce as strongly as any man can anything like compulsory emigration; but in the present state of Ireland, I believe that if facilities were afforded for voluntary emigration, it would proceed until the natural limit would be reached in the equalisation of capital and labour in the country. The opinion of Sir R. Kane is frequently quoted to show that Ireland is capable of maintaining a population more than double the amount of that which now exists there. I do not wish to disute the capacity of that fruitful country; I believe that if measures were taken in the first instance to produce a state of things in which the existing population could find subsistence, and then to improve the social condition of the country, eventually by opening mines, by a superior cultivation of the soil, and by the establishment of manufactures and fisheries, the investment of capital necessary to carry

out these undertakings would afford such abundant means of employment and subsistence that even the enormous number of persons referred to in Sir R. Kane's calculation might be maintained in Ireland. All I say is that, under existing circumstances, and at the present moment, the population of Ireland is redundant, and that it must be temporarily reduced in order to allow of an object being effected, without which the condition of the country could not be permanently improved. And such a dense population as either that contemplated by Sir Robert Kane, or as that now existing, could not be maintained. I am aware that, on former occasions, when colonisation has been advocated, it has been said, that if you produce a void in a population it would be speedily filled up again. That, I believe, would be the case, if the State should remain contented with sending some persons out of the country, and take no further steps to ameliorate the condition of those who remained; but I have already stated that the object with which I propose colonisation is not final in itself, but in order to introduce measures to give employment to the people, and prevent the recurrence of the same state of things which we now deplore. Again, it has been said, that in adopting a system of colonisation, we should send from the land the sinew and bone, the vigour and the strength of the country, and that those whose condition renders them a burden on the State would be left behind. All I can say is, that I, for one, would not wish the case to be otherwise. It is not my wish to see the landlords of Ireland relieved from the burden of supporting those whose strength has been exhausted in their service. I conceive such persons to be the legitimate recipients of parochial relief in all times and under all circumstances; but I endeavoured to show, by the observations which I addressed to the House at an early period, that there was a redundant able population in Ireland, which the interests of humanity, as well as the material interests of the country, required to be removed and established in another land. I wish now to direct the attention of the House to this fact, that every Commission, and Parliamentary Committee, appointed to consider the social condition of Ireland, and devise remedies for its evils, has more or less strongly advocated colonisation. The Report of the Commission on the Occupation of Land in Ireland states that—

"Emigration is considered by the Committee of 1830 to be peculiarly applicable as a remedial measure to the present state of Ireland, and of the relations of landlord and tenant there. They recommend that facilities should be afforded by Government to such peasants as were disposed voluntarily to emigrate, and who could, either by themselves or their landlords (it being for the interest of both that farms should be consolidated), provide funds to defray the expense of their passage and location in America."

A very different state of things exists in Ireland now from that which prevailed when the Committee of 1830 gave their recommendation of emigration. And what was desirable then has become necessary now. In the Report of the Commissioners appointed to inquire into the Condition of the Poorer Classes in Ireland, I find the following passage:—

"While we feel that relief should be provided for the impotent, we consider it due to the whole community, and to the labouring class in particular, that such of the able-bodied as may still be unable to find free and profitable employment in Ireland should be secured support only through emigration, or a preliminary to it. In saying this, we mean that those who desire to emigrate should be furnished with the means of doing so in safety, and with intermediate support when they stand in need of it, at emigration depôts. It is thus, and thus only, that the market of labour in Ireland can be relieved from the weight that is now upon it, or the labourer be raised from his present prostrate state. Nor can we hope, in the mean time, to see such a degree of content, or of peace and order, established, as can alone encourage enterprise, or draw the overflowing capital of England to those commercial undertakings in Ireland for which the country in general, if pacified, would afford so wide and so promising a field."

I have already quoted too much, but I am anxious to establish the fact that every Committee and Commission have made the same recommendation. I will, therefore, cite one more instance from the Report of the Land Commission known as Lord Devon's:—

"We should be sorry to see the system of emigration pushed beyond the extent to which it is called for by the population, or forced upon any persons who do not cheerfully look to its adoption as a means of providing for themselves or their families; but, after considering the recommendations thus repeatedly made upon this subject, and the evidence of Mr. Godley, in which the different views of this subject are well given, we desire to express our own conviction that a well-organized system of emigration may be of very great service, as one amongst the measures which the situation of the occupiers of land in Ireland at present calls for. We cannot think that either emigration or the extension of public works, or the reclamation and improvement of land, can singly remove the existing evil. All these remedies must be provided concurrently, and applied according to the circumstances of each case. In this view, and to this

extent only, we wish to direct attention to the subject of emigration."

I have a single quotation more, and that shall be from the Second Report of the Relief Commissioners, lately appointed by Her Majesty's Government, presented on the 16th of May, only a few days ago. That Commission did not, of course, point out any remedial measure which did not come immediately under their cognizance in the course of the duty devolved on them; still I think this sentence has a most direct bearing on the subject, as pointing to the remedy I am advocating; at any rate it proves, without some such remedy the distress existing in Ireland cannot be relieved by a labour rate, a poor law, or any other plan. The report says—

"We urge the importance of all proprietors, farmers, and of individuals in general, affording as much employment as may be in their power. It must be confessed, that notwithstanding every effort that can be made, there will still remain a vast multitude of able labourers to be fed without employment, and suggestions have been offered as to the propriety of establishing some useful labour in return for the rations; but they all tend rather to the advantage of effecting that object than to the means by which it could be accomplished; we concur in the principle, but consider that the result can be only very partially attained."

I fear I have wearied the House, by entering at this length into details on what I called at the commencement of my observations the Irish portion of the case. I have endeavoured simply to establish a case for inquiry; not certainly an inquiry into colonisation in the abstract; I do not expect there will be any opposing opinion very strongly expressed in the House on that point; the only object of the inquiry I ask will be, how that colonisation can be carried out? Before entering on that part of the case which may be called more particularly the colonial part of it, I wish again to repeat, I consider it essential to any good system of colonisation that not only the benefit of those who go out should be consulted, but that the feelings and interest, nay, even the prejudices of the colonies themselves, should be considered. I have stated before that I have no new crotchet to propose, no new plan to propound to the House; at the same time, I think I should not be fulfilling the task I have undertaken, if I did not allude as shortly as may be to the capabilities of some of those colonies to which the emigrants must proceed; and lastly, to some of the plans of emigration which have been from time to time proposed, without, however, specifically advocating any one of them. The hon. Member for Gateshead (Mr. Hutt), at an early part of this Session, brought shortly, but clearly, before the House, the subject of colonisation as necessary for the relief of Ireland. In that speech, the hon. Gentleman alluded to the colony of Australia; and, certainly, when we bear in mind that, as a colony, it is only now in the tenth year since its creation—that ten years ago it was a barren wilderness—the hon. Gentleman has a right to refer to it triumphantly as a most cheering example of successful colonisation. I believe at this moment emigration is going on to that colony at the rate of about 300 per month; but, when we consider that labour can only be introduced into that colony, and others similarly circumstanced, by the produce of land sales—that in consequence of a want of interest in individual proprietors it is difficult to introduce labourers from this country, except at the public cost, in the shape of money raised from the sales of the lands—it being a too frequent practice for the colonists to avail themselves of that labour, when it arrives at the cost of a private individual, without paying a proportion of the expense of bringing it there, by inducing them to leave the original employer—seeing that the passage-money at the commencement of the colonisation of the country was 19*l.* or 20*l.* a head, that at present it varies from 15*l.* to 17*l.*—looking at these circumstances, though there can be no question there is an immense demand for labour in the colony—I believe the hon. Member for Gateshead stated 5,000 miners were wanted alone—and though wages have been as high as 3*l.* a week, yet I do not think, and I say it with regret, that it is very likely Australia can be rendered available for this particular purpose. At the same time the subject may be fairly inquired into, if any inquiry is granted, and I am far from wishing to prejudice the case as regards Australia. With regard to the colony of New Zealand, the same observations as to labour are applicable; and the same obstacles to a large immigration of Irish to New Zealand exist as in the case of Australia; the distance is here, as there, an equal objection. But, there is another colony which I cannot help thinking has not of late years attracted due attention—it is South Africa; I speak more particularly of the east coast and the province of Natal. I am told there are in that district 6,000,000 acres of fertile land totally uninhabited and uncultivated, besides a very much greater

extent obtainable should it eventually become necessary, as there is a willingness on the part of the natives to cede it by treaty. The hon. Under Secretary of the Colonies will not deny that these 6,000,000 acres are available; and to this colony the passage-money of an emigrant may fairly be stated at not above one-third or one-half of that to Australia and New Zealand. I believe the climate is perfectly suited to our countrymen; the fertility of the soil is great; iron and copper exist in abundance; and, what I think ought not to be forgotten, extended colonisation in this direction might have the effect at some future period of spreading civilisation in those regions of Africa at present the most benighted in the world. The Government has recently sent out that eminent man, Sir Henry Pottinger, as Governor of that colony: this fact cannot but give facilities for inquiry in that quarter. But, I need hardly say, my attention has been directed more particularly to the most interesting of all our colonies, that with reference to which nearly all plans of emigration yet proposed have been drawn up—the British North American possessions. They are much the nearest to our own shores, and of course the passage is by far the cheapest; there is there—what there is not in any of the other colonies I have referred to—abundance of food, waiting for the mouths sent to consume it. There are large tracts of unoccupied land. I do not forget the statement of the hon. Judge Advocate (Mr. C. Buller), that those lands, though unoccupied, are not unappropriated; but, at the same time, I do not conceive this would be an insuperable objection to colonisation there, since it is the fact that the individuals in possession of these appropriated lands are in the constant habit, from necessity, of selling them at much lower rates than the price set on the lands in the hands of the Government. But the capabilities of Canada must be familiar to the House; it must have a lively recollection of the two able speeches of the hon. and learned Gentleman (Mr. C. Buller) to whom I have already referred; and I think it would be bad taste in me to dwell further on this subject, except to point out one or two facts bearing on Canada, and to state a few statistical details, which were not mentioned by the hon. and learned Gentleman, showing the rapid advance of the colony, and how admirable have been the results of colonisation as far as they affect those who have hitherto gone there. In 1820, the population of Canada was only 500,000 souls; in 1845, it had increased to 1,500,000. But in the trade and commerce of the colony, the progress is still more striking and extraordinary than the increase of the population. In 1835—only twelve years ago—the quantity of flour exported from Canada was 96,000 barrels. In 1846, it was 800,000 barrels, besides 500,000 barrels detained in store at Montreal by the sudden freezing of the St. Lawrence. This is not all; the exports have not only increased in an enormous ratio, but the imports from the United Kingdom to the British possessions in North America amount nearly to 9,000,000*l.* annually. This one fact sufficiently proves the prosperity that exists there; and this has a material bearing on the immigration of Irish labour into that colony. The wages of labour in Canada are from 2*s.* to 2*s.* 6*d.* currency a day, with lodgings found for the labourers; such is the information I have received on this point. I may now, without violating the principle I have laid down to myself, briefly allude to the various plans that have been at different times suggested to this House. First, there is the plan of Mr. E. Gibbon Wakefield, called the self-supporting system; by that, colonisation is to be maintained by the sale of lands at a comparatively high price, and the appropriation of the whole proceeds of such sales to the immigration of labour. I believe I rightly state this to be the intention of that plan; and I think I do no injustice to it when I say it is not exactly suited for the province of Canada. The price of the lands in private hands there is too low to make such a project available; and labourers, when they are imported into that country, have facilities and temptations furnished them to leave the colony and go to the United States: both these reasons make the plan unavailable for Canada. Then there is a plan of Colonel Torrens, contained in a pamphlet lately published by him, but being in many respects a renewal of his former plan, with some peculiar adaptations of it to the existing state of Ireland. That plan may be described as a modification of Mr. E. Gibbon Wakefield's; there certainly is much to commend in it; it proposes a most desirable object—the emigration of capital with labour; he proposes, too, to pay off the expense by way of annuity; but I cannot help fearing this part of the plan will not be adopted on a sufficiently extensive scale for the object in

view in any scheme that may be devised having special reference to the relief of Ireland. The next plan is that of the hon. and learned Judge Advocate (Mr. C. Buller) brought forward in 1843; he proposed to obtain for Canada the benefits of Mr. Wakefield's plan by adapting it to that colony. I believe I rightly characterize that plan in describing it as one for the resumption of lands already appropriated to private parties, by compulsory means, not altogether dissimilar from the project of the Government with regard to the waste lands in Ireland; it proposed, also, something like a substitute for Lord Durham's proposition for a wild-land tax. It was an adaptation to Canada of the plan of Mr. Wakefield, heretofore only carried out in a more distant colony. There is another plan, brought forward by Mr. Sullivan, a member of the Executive Council of Canada; it is founded on an original Government outlay, to be repaid by the sale of plots of ground, reserved in, and intermixed with, the locations of the colonists, by which means, he apprehends, such a value will be given to the reserved lots as eventually to pay the expense of colonisation. Then there is the plan lately published by Mr. Godley, and particularly addressed to the noble Lord at the head of the Government; that plan has excited great attention both in this country and in Ireland, and, from information I have recently received, in Canada also. He proposes to give a stimulus to the demand for labour in the colonies of British North America, during the first year of emigration, by enabling the emigrant to work for wages while he is settling on the land; at the expiration of that time, or thereabouts, from the first settlement, he expects to render the settlement attractive by social and civil aids, and by making provision for the moral as well as the material well-being of the emigrant. I know how difficult it is to describe plans including many details in a few words; but I think I have not inaccurately represented it. Then, there is the plan put forward by the noble Earl at the head of the Colonial Department, on the 31st of December, 1846; but which, shortly afterwards, in January last, on more mature inquiry, he found reason to abandon. He proposed to build villages for the emigrants at first by an outlay by the Government, which should send them out at once, and feed them for a time, by what may not unaptly be called a species of commissariat; that, I believe, is a tolerably fair representation of that plan. I mention these schemes, not with the view of advocating or depreciating any of them, but simply for the purpose of putting them before the House as a proof that a number of such propositions exist, all varying in their details, but all fairly open to consideration and inquiry by any Commission that might have the duty of making such an investigation imposed upon it. But, without violating the principle I have laid down, I may be allowed to mention one plan which has not been made public before, and to which I venture to draw the attention of the Government, simply with the same view with which I have mentioned others. It must be within the knowledge of the hon. Under Secretary for the Colonies, and, notwithstanding the pressure of other affairs, within that of the noble Lord at the head of the Government, that a project has existed for some time for constructing a railroad from Halifax to Quebec. That railway, as projected, commences at Halifax, passes through the centre of the province of Nova Scotia and the heart of New Brunswick. There is this broad distinction between New Brunswick and Canada: there exists in the former a tract of nearly 10,000,000 acres of fertile land, now in the possession of the Government, more than 1,000,000 acres of which lie in one compact mass; and this railroad passes through that land, intersects a portion of Lower Canada to a point on the St. Lawrence (Riviere de Loup), and then to Quebec. I hope I am not departing from my object in alluding to this line of road, but it bears materially on the question. It appears to me that this railroad may not only be made of great importance to the colonists, but an object of great national interest, both in a military, a commercial, and many other other points of view. As to the commercial considerations, everybody is aware how circuitous is the navigation from England to Quebec by the St. Lawrence; and it is also a most dangerous one. On the coast and in the vicinity of Cape Breton, there are constant shipwrecks; and anything that rendered the route less circuitous, and safer, would benefit the commercial interests both of this country and the colonies. As to its military importance, the road runs nearly parallel with a portion of the boundary settled by the Ashburton Treaty. In consequence of that settlement, military posts have been established; and if a railroad is not made, a military road will have to be constructed. In that country a railroad

may be formed at little cost; the land may be had for nothing; and the sleepers of the line can be got for the taking down; and the cuttings, which on this line would be few, can be made at a very cheap rate. In another point, the line is also of very great importance. As long ago as 1791, in the discussions on the Quebec Bill, both Pitt and Burke contemplated measures that might tend to amalgamate the whole of these important provinces, and consolidate them into one British North American possession. Sir, I think, in a material point of view, nothing can tend to effect that object more than the construction of this railroad. If it should be in the contemplation of the Government, after an investigation of this scheme, to sanction it, I cannot help thinking an early decision by which the proceeding with the railway may be facilitated should be given. There is hardly any other way by which this species of colonisation could be more assisted; I believe it is necessary to give a stimulus to labour in the colonies in the first instance, in order that men may begin to earn a subsistence by wages at the same time they are beginning to build their houses, and preparing their land in order to maintain themselves. As I said before, however, I simply throw this out as one of the plans that might be desirable and most worthy of a careful and deliberate inquiry. Now, a most important point is, I know, the question of expense. I feel that I might possibly be justified in evading that question, having, as I said before, brought forward this Motion for an inquiry, without any intention of proposing any plan. But it would not be candid in me if I did not declare that I, for one, so far as I have been able to form an opinion on this subject, do not believe that colonisation, such as that I am advocating, can ever be effected so as to cost nothing. I know that there are others — men to whose opinion I shall always be anxious to defer my own—who, in this respect, think differently from me; but, nevertheless, I should not be satisfied that I was acting correctly or candidly if, in bringing forward a Motion of this kind, I left completely in the dark my own opinions, as far as they go, on this point. I feel, with them, that the greatest ultimate good must result from colonisation; good, not only as regards the increase of our commerce—good, also, as regards our colonial strength, and the amplitude and power of our empire; but, I believe, in the first instance, there must be an outlay, and I am convinced that that outlay must be large. I am not here to advocate Treasury grants or loans for that purpose, though at the same time, I know there must be many advantages, at any rate in the first instance, in a measure of this nature being assisted by loans; and I have before endeavoured to explain to the House, and I now call upon hon. Members who may be inclined to oppose my views on the plea of expense, to consider, what must be the annual cost of the Poor Law for Ireland. Take the largest amount of expenditure likely to be entailed by any system of emigration—say by Mr. Godley's plan, which I believe is considered the most expensive of all—and I ask now, will it not appear small, looked at in the light of capital, as compared with the sum which must be expended in the maintenance of the poor population of Ireland in their own country—a sum which must be looked on in the light of interest? Various calculations have been made as to the probable cost of emigration, and some of them are very discrepant indeed. I have heard the expense of emigration to Canada estimated at 25*l.* a head; I have heard it stated that it could be easily done for 4*l.* or 5*l.* a head; and I remember even to have heard it asserted that it could be done for nothing. I think it will be admitted on all hands that Mr. Sullivan is a gentleman whose opinion on such a question is deserving of some attention. Let us hear what he says:—

"Mr. Smith O'Brien says, that the settlers under Mr. Peter Robinson cost, for their establishment on land, 22*l.* a head—I suppose, men, women, and children all round. Deducting the allowance for passage-money, 5*l.* a head, which is about double what it would be now, at least there is 17*l.* sterling left for each man, woman, and child. I am not afraid to say that one-fourth of the sum would be sufficient. At the time of Mr. Robinson's settlement, we all know that provisions had to be imported from the United States for the emigrants, at a very high price; and there were many other reasons why the settlement was expensive. Much as it cost, however, I believe the town lots, in the village of Peterborough, would sell for more at this day than the whole cost; without taking into account the immense value of the property, real and personal, now owned by the people whom that settlement was the means of introducing into the rear of the Newcastle district."

But, Sir, perhaps I may be told that, if any money is to be spent on behalf of the public, either by grant or loan, it is better it should be spent in Ireland rather than in the colonies. I do not think it

necessary to dwell on that topic. Look to the demoralisation which has resulted —necessarily and inevitably resulted—from an attempt on the part of the Government to relieve the people of Ireland at home; and then take into consideration the beneficial effect which any money spent in establishing a system of colonisation will have in tending to the improvement of the condition of the people, and in changing their habits. Looking to all this, and bearing also in mind that the expense of maintaining the poor in Ireland is an expense which will be continually recurring, whereas the expense of establishing them in colonies is an outlay made once for all —I repeat, that, bearing all these things in mind, I cannot help thinking that few hon. Members will be found to deny that if an expenditure of money be requisite, it is very much better that the money should be devoted to the purposes I advocate, than to public works in Ireland. Of course it is understood that by "public works" I desire to refer to "relief works." I have seen it stated—and here again I do not think any one in the House will be found to corroborate the assertion, that an extensive colonisation is impossible, inasmuch as the adequate supply of food could not be found in Canada for a suddenly increased population. Now, I think that the surplus produce of that country may be taken at 2,000,000 barrels of flour in the present season; that is very likely to become greater with the addition of new power of labour, and therefore I may dismiss this objection. If any funds are to be defrayed by the North American Legislation, again we are told that there is a deficiency there; but it appears to me that the example which has been given by the hon. Member for Gateshead (Mr. Hutt) with reference to Australia, will very satisfactorily meet any such argument as that. Another point has been put forward in a way which makes it desirable that I should dwell upon it. It is said, although a sufficient amount of freight may be found for the transport of the average number of colonists at present going out, not exceeding 50,000 a year, that it would be impossible to find the necessary freight for any greatly increased number; and that if colonisation were to be attempted to an extent to produce a visible effect in Ireland, the result would be that freights would rise so enormously as very seriously to enhance the ordinary course. I have here a return which I think will refute that position. In the year 1845, 1,505 ships, with 593,116 tons, and in 1846, 1,585 ships, with 605,253 tons, left the ports of Great Britain and Ireland for the ports of British North America in ballast. Now, taking the number in 1846—605,253 tons would give accommodation, as provided under the Passengers' Act, which allows three passengers for every five tons, to 363,000 emigrants. I am quite aware that from 605,000 tons some deduction should be made on account of unseaworthy vessels and ships not fitted to emigrants. I will, therefore, deduct 105,000 tons, an enormous deduction, and then we will have left ships that leave this country in ballast sufficient to carry 300,000 emigrant passengers. That is without taking into consideration the accommodation that might have been found in 1081 ships which sailed for North America in the same year with cargoes, all or the greater number of which could carry a certain number of steerage passengers with them; that is also without taking into account the increased number of ships likely to be directed into the North American trade, partly by the demand for ships this year, and partly by the large profits on freights of corn from the other side of the Atlantic; but, leaving all this out of our calculation, I have proved that there will be ample accommodation for at least 300,000 passengers. Now, there is another objection, much relied on, that the Irish always make bad colonists. If the Irish have hitherto been "shovelled," as it has been described, from some estates—and that has up to the present time been the principal cause of the emigration—then, I say, it is no wonder that such men as they were likely to be should have made bad colonists. But I will ask whether in reality that has been the case? I will ask whether the statement has not been refuted by abundant testimony—whether it has not been proved to be false by patent facts, which are perhaps even more valuable than any written declaration or any arguments on such a subject? I think a most gratifying feature, almost the only gratifying feature in the deep distress which has recently prevailed in Ireland, has been seen in the immense remittances that have made from the opposite side of the water for the purpose of bringing over to America the relations and friends of some of those Irish people who had already gone there. I believe there is no Gentleman in this House who, if asked last year to name the probable amount of

such remittances, would have ventured to name one-fourth, perhaps even one-twentieth of that sum which we have every reason to believe has come. Is this a proof that the Irish make bad emigrants? I think it is a very decided proof that, when removed from their own soil, when placed in a position where they may freely exercise their industry and their talents, they succeed in every respect as well as any of their fellow creatures; they thrive as well and make as good citizens as the people of any other country. Undoubtedly there are circumstances, and circumstances most creditable to the Irish character, which induce many of them to throng to the towns, where they have not an opportunity of becoming possessed of wealth, and where they can only be known as hewers of wood and drawers of water. I allude to the fact that they are unwilling to go into the wilderness, on the ground that they would thus deprive themselves of the means of obtaining religious instruction. I believe that is one of the principal reasons of the congregations of Irish in the large towns of North America. I consider that the character for indolence possessed by many of the Irish in the south and west of Ireland arises from external circumstances, and is not an inherent defect of disposition. I should, indeed, regret to think that there was that difference between the Celt and the Saxon which some persons have been so anxious industriously to maintain. I do not believe that anything of the kind exists. I am not prepared to say there is not a difference of character in races—that, in one respect, the Celt may not be superior, and, in another, the Saxon; but, I am satisfied that as regards those characteristics which enable a people to be honest and active, there is nothing in the blood of the Celt which can incapacitate him from industrious aspirations or orderly habits, be he resident in the colonies, or, if those external circumstances of which I have spoken were removed, in his own country. I might not only refer to remittances from Irish emigrants in America for the confirmation of this opinion—I might appeal to Members of this House acquainted with the Irish character—I would, were he here, appeal to the right hon. Gentleman the Member for Sunderland (Mr. Hudson), and ask him if it is not frequently found, that of all the labourers employed on railway works the Irish are the most orderly and most useful? I might ask any person who has land which he farms himself, if he has not often seen cause to congratulate himself on the employment of Irish labourers in the time of harvest. I can only say that the view I take is supported by my own experience; but as I have seen the opposite opinion repeatedly put forward in print, I should not be content if I did not further endeavour to show that it has not been supported in those quarters where such a sentiment would be most mischievous to the object I now have at heart, and if I did not make it apparent that that opinion does not exist with regard to Irish colonists in the colonies themselves. I may, I think, trust to the authority of an eminent individual in the colonies, Chief Justice Robinson. In a letter which was published as a pamphlet, in 1833, to Sir R. W. Horton, this gentleman, speaking of the condition of the poorer Irish in Upper Canada, says—

"I am persuaded, if you could visit some of these persons on their farms, you would find that you had in fact not formed an adequate idea of the degree to which they had been raised in the scale of comfort and independence by their being made the subjects of your experiments in colonisation. Taken as a whole, the resident Irish agricultural population in Upper Canada are a most valuable class of settlers, and have done credit to the country they came from."

He also gives an interesting account of their conduct in 1837-8, when, as he demonstrates, they acted not only as industrious, but as loyal and orderly subjects:—

"In the winter of 1837-8, the population, generally, behaved well; there were numerous examples of men of every origin—English, Scotch, and natives of the province, and some who had come from the United States of America—doing everything that could be done by them in defence of their country; but I think it was universally felt throughout the province that the conduct of the Irish, as a body, was pre-eminently good. They seemed not only to acknowledge promptly their obligations to support their Government and the laws, but they discharged their duty with an eager forwardness, and a fine, hearty warmth of feeling, that it was really quite affecting to witness. It makes us feel powerfully that they must, in Ireland, owe their misery and their misconduct (when they do act amiss) to some peculiarly unfortunate circumstances, springing from the past history of their country, or in some way attributable to their condition there; and, if their Government and their fellow-subjects could, by any exertion, rescue them from their present state of destitution, they are worthy of the effort it would cost, and would be found grateful."

In another pamphlet the same valuable authority says—

"Being anxious to know whether the loyalty of the Irish emigrants of Canada, quoted as above, had continued to the present time, I had a correspondence with Sir Francis Head upon the subject. Sir Francis Head answered me in the af-

firmative; he informed me that the settlers to whom I had alluded were among those who, upon a late occasion, marched at once from the Newcastle district, in the depth of winter, nearly 100 miles, to support the Government. For this patriotic gallantry Sir Francis Head thanked them; to which expression of thanks they replied, 'That they were doing well in the world; that they felt grateful to the British Government, and that they had come to fight for the British constitution.'"

I could quote similar passages from the works of Captain Hall, and would willingly do so were it not that I am afraid of trespassing at greater length upon the patience of the House. Another complaint has been, that colonists from Ireland must be of the lowest class. Now I do not believe, if the colonisation be well organized, that this is at all necessary. Emigration hitherto has been so; but I do not think that a well-organized and systematic colonisation must be so. I should be sorry to suppose that colonisation, in its greater and better sense, was a lost art in this country, for, certainly, in former days, this was not the case. I may refer to the colonies founded by W. Penn and Lord Baltimore, to show that once colonisation was more thoroughly understood than it is at this moment. The Under Secretary will correct me if I am wrong, but I understand that there is a project now on foot for colonising Vancouver's Island, by means of gentry and well-educated men proceeding there together with artisans and mechanics. This is to be the spirit of the scheme; and, if so carried out, will dissipate all doubt as to the feasibility of such a mode of colonising. Another and a strong argument, undoubtedly, if true, against extensive emigration is, that the Canadians entertain a strong objection to any such plan; but I do not believe that the objection is warranted by the fact? We have received within the last few hours interesting statements from Canada in reference to the reception Mr. Godley's suggestions have met with in that colony. The hon. Gentleman probably intends to quote some of these statements; and I can easily imagine that the scissors have been this morning in constant requisition at the Colonial Office with these papers; but I assure the hon. Gentleman that I am not going to force on him the necessity of extracting very largely. I readily admit that the opinions of the Canadian press appear to be divided with regard to Mr. Godley's plan; but they appear to object mainly to the details; and, while they condemn these, they all, so far as I have been able to see, approve of extensive emigration, if properly conducted. The very object of the inquiry I wish for is to ascertain how emigration can be properly conducted; and, if properly conducted, I think the hon. Gentleman will find that those newspapers are in favour of emigration from this country. They do not pledge themselves to any specific plan, but they expatiate distinctly upon the benefits to be derived from an encouragement of colonisation in England. I perceive in the *Toronto Globe* of May 1st, this declaration, after a statement of objections to some parts of the plan:—

"We would willingly forget that narrow views form any part of the scheme of which the general principles cannot be too much approved. Two millions is the very number which we have ourselves mentioned. Let them come, millions of acres are waiting their arrival."

I will not say whether or not this is extravagance; but I am quoting it, mind, from the writings of those parties supposed to be opposed to emigration. The *British Canadian* of the same date states:—

"Active steps are being taken to obtain the assistance of Government towards Canadian colonisation from Ireland, and we hope the same will be done in England and Scotland. The plan now proposed should be brought at once under the notice of our Legislature."

I will not detain the House by reading other quotations I had prepared from public papers, tending to show the desire which existed on the part of the Canadians so far back as 1837 and 1839 in favour of some stimulus to be applied to emigration; but I will read to the House a passage in an address delivered by the Hon. R. B. Sullivan, President of the Executive Council of Canada, in the hall of the Mechanics' Institute of Toronto. He was not likely, in the position which he occupied, to propound unpalatable views; and I find in his address this sentence:—

"But settlements need not be confined to this quarter: the greater part of the country between Lake Huron and the Ottawa is vacant—whole regions are without an inhabitant, and millions of men may be sustained by cultivating them. Provisions are abundant and cheap in the country. Upper Canada, with her present products, could sustain a million of additional inhabitants at once. If you bring her 500,000*l.*, she will still be an exporting country; but the best market she can have is at home."

I hope that I have now satisfactorily established this part of my case—that there is not that apprehension in British North America of extensive colonisation, provided it be but properly conducted, which has so often been represented to be the case. In-

formation is required on the subject; and there is now in this country a gentleman of great ability and on whose authority I am sure the hon. Gentleman (the Under Secretary) will rely with confidence—I mean Mr. Uniacke. I believe he is generally acknowledged to be a most enlightened man, and his opinion entirely coincides with that of Mr. Sullivan; he is deeply interested in those colonies; and he is desirous to see the Government favour an extensive colonisation conducted on sound and recognised principles. I have now very nearly concluded. I hope it is not necessary for me again to assure the House that I have brought forward this Motion totally independent of any party feeling whatever. I hope, Sir, I have kept my promise to the House, and that I have made no allusions whatever that can render it difficult for any one to support the Motion I am about to propose; and that in what I have said I have kept out of view every topic objectionable either to the Government or to any individual Member of this House. If I should be taunted as having proposed no plan, then all I have to say is, that as I have studiously and purposely avoided doing so, I can have no difficulty in pleading guilty to that taunt. My object has been to place before the House the plans of others, with the view of asking for a Commission: a Commission constituted of three or five, or whatever number may be considered most desirable, of the most eminent and practical men whose services can be expected to be devoted to such an investigation. I have asked for a Commission: I hope I need not say a real Commission to be attended with real practical results—such a Commission as was appointed, I think, by Lord Melbourne's Government, for the investigation of the subject of the Poor Law, at the head of which was Archbishop Whateley—a Commission intended to have practical results—a Commission not for the postponement of a subject, but one formed with the full intention of action at as early a period as is possible or practicable. I have brought this subject forward with the earnest hope that the Government will consent to the Motion; and that they will not allow a question of such vital importance as that of colonisation to remain in its present condition till the question, in the words of Lord Bacon, "shall resolve itself." I am not anxious, I can assure the noble Lord and the House, to supersede the Colonial Office or the Commissioners for Emigration in fulfilling those functions that properly devolve upon them. I need not say that I have not brought this Motion forward in any spirit of want of confidence in the Colonial Office; but I conceive that, apart from the duties of the Colonial Office, there are inquiries to be made in Canada and Ireland that would be better conducted by others than by that department. I cannot expect that the hon. Gentleman the Under Secretary for the Colonial Department will tell me that the Colonial Office is the very best place for investigating a subject of this nature, for he must recollect what was stated by Lord Howick on the New Zealand debate in 1845. That noble Lord made the following forcible remarks on this very subject:—

> "From some experience of the Colonial Office, he was persuaded that it was utterly impossible for any man, be his talents and industry what they might, adequately to administer such complicated affairs as those of the British colonies, scattered all over the world. It was totally impossible to remedy this deficiency, as suggested by the hon. Member for Lambeth (Mr. Hawes), by the constitution of a board."

I quote that to show that the feeling of the noble Lord then was—and I feel confident is still—that any great increase of the duties of the office he holds must incapacitate him for the proper fulfilment of the various other duties that devolve upon him. I have seen it stated that a measure of this kind will only lead to false expectations; but I cannot help thinking that the reverse will be the case. It must not be forgotten (and I say it in no spirit other than that of approbation) that those who now occupy office in the Government, more especially immediately connected with the Colonial Office, have been, in years gone by, if I may so call them, the apostles of colonisation. They have taught us its principles, and they have attracted a great deal of attention to the subject in the country. The noble Lord at the head of the Government two years ago brought forward a string of resolutions, one of which directly pointed out colonisation as a mode of relieving the distress which even then was experienced throughout the empire. The noble Lord at the head of the Colonial Office, in the course of various debates, more especially in that brought forward by the hon. Member for Limerick, a few years ago, pointed at colonisation as the means of giving relief to Ireland; and the hon. Gentleman the Under Secretary for the Colonies, along with the right hon.

Gentleman (Mr. C. Buller), who renders his assistance to the noble Lord and the hon. Gentleman in the Colonial Office, have frequently brought this matter before the House. I say, then, to the hon. Gentleman the Under Secretary for the Colonies and to the noble Lord, that I do feel that if it should turn out that the principles they have propounded on this subject are erroneous—if it should turn out that the emigration now going on is of a satisfactory nature—the public will only be convinced by an investigation made by other parties than themselves. I hope the hon. Gentleman fully understands my meaning in making this statement. I mean nothing invidious; but the advent of the hon. Gentleman opposite to power has reasonably raised expectations on those points; and perhaps they have found reason to doubt the propriety of going to the extent to which they were inclined to go when formerly they brought these topics before the House. ["No, no!" *from the Treasury bench.*] If it is so, then it is desirable that the public mind should be set at rest by such a Commission as I now propose—a Commission not at all superseding the functions of the Colonial Office, but assisting them in making inquiries which, in anything like a reasonable time, it would be impossible for them to accomplish in compatibility with their other duties. I have been told that if the Government accede to my proposition it will stop the emigration now going on; I do not apprehend that such will be the case; but if it will be so, then I freely admit to the House that I would not look upon it as so great an evil as some hon. Gentlemen might think it, for I look to the benefits of colonisation for the future as well as for the present. I greatly fear, not probably from any fault in the Colonial Office or in the Emigration Commissioners, but from some want of an organized plan, that there will not be sufficient care taken of emigration in the present year. Not fewer than 54,000 left these shores in April last alone; and I do apprehend that the result of the continuance of an emigration of this description is likely to be, that when they have arrived in Canada, their situation there may be different from that of former colonists, described in the extracts which I have read, and that in reality they may be left to wander as outcasts in the country, in the midst of starvation and misery, unable to find employment, and of course unable to procure food. If so, I am afraid that the reports they will send to their brethren at home will be very different from those which have hitherto been received from emigrants to that country; and I greatly fear the effect that may be produced on the colonists themselves if emigration is conducted to the extent now voluntarily going on, without arrangement and control—I fear that the event will be to produce that indisposition to further emigration which at present does not exist, but which must, with such a state of things, arise. I must apologize to the House for the great length to which my observations have extended. I thank them most sincerely for the attention they have given to details which have been necessarily tedious; and now, Sir, I will place this Motion in your hands, with the greatest confidence that the House will adopt it, in the belief that colonisation may, as an auxiliary to other measures, be made the means of saving the property of Ireland from ruin and confiscation; and, what is far more important, rescuing our people from the pressure of their sufferings—from that pestilence and famine which it has pleased Almighty Providence in his wisdom to inflict upon them—by removing them from that soil on which these heavy visitations have fallen upon them to a land which I believe would be to them a happier and a better. The noble Lord concluded by moving an Address to Her Majesty in the terms already given.

MR. HAWES said, the noble Lord had brought forward this important subject in so fair a spirit, and in so comprehensive a manner, that he should assuredly fail in his duty if he omitted to imitate him in a spirit so frank and fair as that which that noble Lord had displayed in introducing this subject to the House. He freely admitted that the noble Lord had not in any way given the subject a party aspect; he had brought forward the subject in such a manner, that it might be considered impartially by both sides of the House; and he, for one, was quite disposed to discuss the question in that spirit. He conceived it might be treated as one on which men of all opinions might agree or differ without the usual characteristics of party divisions. But he thought the noble Lord had made a proposal which, perhaps, might not be so conducive to the objects he had in view as at present the noble Lord seemed disposed to think. When the noble Lord proposed this measure as one for the relief of Ireland, and as an auxiliary to the

Poor Law, the noble Lord must be aware that the proceedings of the Commission must be slow, and could not have immediate effect; and that with regard to that class of persons who could emigrate, or bear the hardships of a settler's life, it was precisely that class of persons whom they would not be required to relieve at home. Those, to be supported by the Poor Laws, who were most likely to go into the wilderness, were not the aged, the infirm, and the sick, who would be still left at home. The noble Lord had referred to the opinions expressed by him on the subject of colonisation and emigration in past times; it had been his good fortune to act with the more prominent advocates of those views, and however feeble had been the aid rendered by him, still he could say it was cordially given to those measures that from time to time had attracted public attention, and led to extensive colonisation. On this subject he had nothing to retract, and had simply to advocate the views which he had always held. He entirely admitted the general objects and principles of the noble Lord as to emigration and colonisation; but he differed from the noble Lord as to the expediency of the proposed inquiry. He doubted if it were in the power of any Commission to inquire fully, within a reasonable time, into a subject requiring such diversified information from such distant sources. The analogy between that question and the Poor Law Commission he conceived to be entirely unfounded, for the Poor Law Commission was able to get the necessary information on the spot, and in a short period, from most experienced men who gave evidence on the subject; but a very different sort of investigation would be required by a Commission of the kind now proposed. The noble Lord had undoubtedly so far this great advantage—he had adopted no plan—he had suggested no plan—he had gradually drawn their attention to various projects, which in the course of past years had been brought under the public notice; but he had given no opinion—he had not even adopted that plan which he (Mr. Hawes) might suppose to be the origin and foundation of the Motion, namely, the plan of Mr. Godley. He said so, because he understood that the noble Lord was the advocate of that particular plan—he understood that Mr. Godley's plan of emigration, which, though addressed to Lord John Russell, was not adopted by him, but was to be brought forward by the noble Earl. [The Earl of LINCOLN was understood to express dissent.] But, not to dwell upon that point, he must observe that the mode of emigration to the old chartered colonies and that now in operation was very different. The aid of the State, for emigration, was not given to those now emigrating. There were no advances of public money; but it was conducted with great success by the energy and public spirit of the people themselves. It was a remarkable feature in the present day, of all the schemes of colonisation, that they rested entirely on large grants of public money; and, unless Government were prepared to give these grants, they were exposed to the taunt of not being alive to the importance of colonisation. Now, emigration was proceeding at a most enormous rate by the voluntary agency of the emigrants themselves; and he apprehended, notwithstanding all that had been said by the noble Lord, that if Government were to stop forward and commence an inquiry, it would affect to a great extent the emigration at present going on. He hardly thought the House or the noble Lord were aware of all that had been done of late years with reference to the question of colonisation; but it was worth while to reflect on what had been done in this respect, unless they were prepared to base all their future plans on grants of public money. If they did so, let it be with their eyes open, that large advances indeed must be made for the purpose of assisting in this way the working of the Poor Law in Ireland; but they would permit him to say there were other parts of the kingdom in England and Scotland which had an equal right to their consideration, and which, if large grants of money were to be given, must come in for their share. Now, as to what had been done of late years, he would refer the House to evidence to show that neither the Government nor the House had been indifferent to the subject of colonisation; but that the principles of almost every eminent man who had written on the subject had been more or less carried into practice, and that at that moment nothing more remained to be done unless the House was prepared to consent to a grant of money. In 1826, 1827, the experiments of Sir Wilmot Horton were tried, but found too costly, the expense of an emigrant to Canada being 22*l*. There was also the Commission, at the head of which was the Duke of Richmond, in 1831. Then there was the Waste Lands Commission in 1836;

and, in 1842, there was a Committee on the affairs of South Australia. There were all those Committees and inquiries, and men of considerable ability, who had devoted their attention to the subject, had from time to time recommended that certain measures should be adopted, or certain principles should be laid down in reference to colonisation. That would show the House how attentive to the subject the Government had been, and how ready the House had been to attend to it. It was still ready, he was sure, to attend to it. He was convinced he could answer for the head of the Colonial Department, that any plan to promote a well-considered system of colonisation would not be met with indifference. He would now refer to the recommendations that had been made. In a plan proposed in a *Letter from Sydney*, by Mr. Wakefield, in 1829, he recommended—

"Thall all land shall be sold and principle fixed by Act of Parliament; a tax upon rent for labour fund; land fund applicable to emigration; land for grazing to be allowed; loan on security of land fund; that the supply of labour be proportioned to the demand; that the emigrants be selected; grants to be made in fee-simple; surplus of land fund to be applied to general purposes."

The same author in 1831 recommended three objects, viz.—

"1. To sell land. 2. To concentrate the settlers (impossible and undesirable in Australia, as since admitted by the author). 3. That young couples should go. Thus to afford relief to England by diminishing numbers, preventing increase, and creating markets."

In a pamphlet by Mr. Senior, in 1831, he recommends—

"A board of commissioners under the Secretary of State; a plan for pauper emigration; that Government advance money, and parishes repay it in not more than ten years. Emigrants to be conveyed, located, and supplied with tools. The actual settlement of paupers in the colonies has been proved to be too expensive and difficult to succeed. Parishes, however, are now authorized to borrow money on security of the rates for their emigration, and the power is not unfrequently used."

The Waste Lands Committee in 1836 recommended—

"An Act of Parliament to fix principle of sale; central land board under Secretary of State, or Parliament, as thought best; net land fund to emigration."

He might ask, net after what? If after surveys, and protection of aborigines, that was virtually done.

"The supply of labour in proportion to land fund; emigration to be select; loan to set on foot the scheme. Labour the one thing needful."

The latter was a mistake, as proved when numerous labourers were chargeable for relief both at Port Philip and at Adelaide. In every instance, however, their principal recommendations had been carried into practice, and the same remark applied also to the recommendations in the appendix to Lord Durham's report, and all the principal recommendations that formed the substance of that report had been more or less adopted. He mentioned those matters particularly to show that the subject was not one that now needed to be inquired into. They had already four or five Committees of that House; they had a Commission, they had the recommendations of able men devoted to the subject, conferring upon the country the benefits resulting from the diffusion of their opinions; and he was sure the House and succeeding Governments had been ready to approve of everything that was likely to promote this object. The number that had emigrated from this country since the establishment of the Board of Emigration was enormous. In the last ten years nearly 100,000 persons had emigrated to the Australian colonies; and to the North American colonies no less a number than 740,000. If all this were done by voluntary emigration, it became of serious importance to consider whether they should interfere with the system of emigration going on with as little cost to the country (he held that the abstraction of capital was some cost) as could possibly be. Of the whole number of 100,000 persons, it appeared that 80,000 had emigrated to New South Wales out of the produce of the land sales, and 20,000 at their own expense. The reports of the Emigration Committee contained other similar facts of considerable importance, furnished by persons best competent to collect them; and he believed it would be found that these reports afforded already the best means of information as to carrying out colonisation. It would be well, too, just to turn and see what had been the advancement of the colonies under the system now adopted. The noble Lord had alluded to Canada particularly; but if they would look to the Australian colonies, they would find that the aggregate population and the aggregate of the imports and the exports of the Australian group of colonies presented the following increase: In the year 1835, the population amounted to 102,942. In 1845, the numbers had increased to 295,926. The imports in 1835 into all the Austra-

lian colonies, were valued at 1,749,087. In 1845, they had increased to 1,992,630*l.* But the exports which in 1835 had amounted to 1,004,000*l.*, were in 1845 2,175,000*l.* showing thereby that the progress of the colonies in internal resources had been very great, inasmuch as their power of exporting their own produce had more than doubled, whilst their imports from other countries had not kept equal pace. If then they found a stream of voluntary emigration going on to the enormous extent which it had at present reached, and which in this year had exceeded any thing ever heard of before, they should beware of doing anything which might have a tendency to check it. In the first quarter of the present year, the number of persons who had emigrated amounted to 38,000. No less than 400 ships had cleared outwards from the ports at which there were Government emigration agents, with 56,000 emigrants, in the month of April; and in the first half of May, no less than 23,000 more emigrants had gone. All those persons, he should observe, embarked under cognizance of the emigration agents, and so far more immediately under the superintendence of the Government, making a total of 117,000 persons, who, up to the present time, and since the commencement of the year, had emigrated under the superintendence of the Emigration Board. In point of fact, there were rather more, for he spoke from returns that had been made up only to the middle of May. Up to the present time, therefore, between 20,000 and 30,000 people a month had gone, without reckoning the ports at which there were no emigration agents. And all this had been going on under the superintendence and direction of the Government, although the noble Lord seemed to think that emigration had been going on without any system. If he would look to the returns made by the emigration agents of Canada, he would find that the Government had taken a sum of 10,000*l.*, to which was added what was called the emigration tax, which was an impost levied at the other side of the water on all captains of vessels, who paid a tax for every emigrant they landed; and the money so collected formed a fund for the assistance of the destitute emigrants on the other side of the water, and forwarding them on their arrival to those parts of the country where they were likely to meet with employment. This was calculated to increase emigration, since the emigrants would find that everything was done that could be done to assist them to distribute them over the surface of the great continent; and direct them, according to the information of the emigration agents, to those parts where their labour was most required. The general estimate for emigration had been raised from 1,000*l.* to 10,000*l.* to provide adequately for the exigencies of this important service in the present year. He could, therefore, assure the noble Lord that every means were taken to secure to the emigrants the means of access to those parts where their labour was sought. With regard to the condition of emigrants to the Australian colonies, he scarcely knew of any instance of persons who had gone to New Plymouth, or any place in South Australia, having been more than a week or two unemployed after their arrival. They were regularly distributed over the country, where their labour was required as soon as possible after their landing; so that the noble Lord must not suppose that emigration was going on without the aid or superintendence of the Government—that superintendence which was the most likely to save them from suffering and hardship. The noble Lord had omitted, and perhaps wisely, any allusion to the details of Mr. Godley's plan; but he (Mr. Hawes) could not consent that, upon an occasion like the present, and during such a discussion, that plan should pass without some observation. It had been put forward with a good deal of note of preparation. It was made the subject of a memorial to the First Lord of the Treasury, and its merits had been the subject of much public discussion. The noble Lord (Lord Lincoln) seemed to imagine that he (Mr. Hawes) had been lately trusting to the reading of Canadian newspapers; but he should tell the noble Lord that he had looked to other authorities, and that from the intelligence he had received he was enabled to state, that Mr. Godley's plan had been most unfavourably received throughout all the Canadian colonies. And he (Mr. Hawes) did not wonder at it. It was a plan founded upon very exclusive principles, and it had been put forward as one to be carried out at no cost whatsoever. It was a proposition upon the principle of "no cure no pay," and yet it was to carry with it commercial consequences to a vast extent, and to lead to profit. And when he considered the plan with reference to the present state of Ireland, he was altogether staggered at the proposition that

Ireland should be taxed to the amount of 9,000,000*l.* to send away 2,000,000 of her able-bodied population to our North American colonies. Thus 9,000,000*l.* of capital was to be at once abstracted from her, and sent away with that number of her people. It appeared to him that what Ireland wanted most of all at the present time was capital. If anything could remedy her evils, develop her resources, and induce the formation of her railways, it was surely capital; and yet the proposition was to take 9,000,000*l.* of her capital, and 2,000,000 of the flower of her population away, by way of benefiting her! He was not surprised at the noble Lord not bringing the details of that plan before the House; and he should not feel himself justified in occupying the time of the House at any length with the further consideration of them; but that plan had been made the subject of so much observation out of the House, and had excited so much public attention, that he could not help making some allusion to it, for the purpose of pointing out the loose foundation on which it rested. Mr. Godley stated that at least from 10*l.* to 15*l.* a head should be spent upon every emigrant sent out to the colonies. If, therefore, they took 2,000,000 emigrants, and exported them to a colony, the cost of sending them to which would be the lesser sum, they must be prepared to expend a sum of 20,000,000*l.* If the cost should be 15*l.* a head, it would cost 30,000,000*l.* He begged hon. Gentlemen to notice what a vast scheme it was which Mr. Godley wanted them to adopt. Mr. Godley required a far larger amount than 16,000,000*l.*, which the noble Lord the Member for Lynn had proposed to be applied to the making of railroads in Ireland, which he (Mr. Hawes) was of opinion would have done more good to Ireland, since it would be expended upon the soil of Ireland. But to send 2,000,000 of men in the prime of life, at a cost of from 10*l.* to 15*l.* a head, out to Canada, on the terms before them on the Table, would cause a greater expenditure of capital, which would be, in the first place, taken out of the country; and, after all, those emigrants would most probably find their way into the United States. It was impossible to expect that the country would agree to such a plan, so far as it had been set forth. But how was the capital to be repaid? Was the outlay to be fixed and settled by negotiation, and was the money to be repaid when it had been laid out? Not at all. The Governor General was to give a certificate that all the money had been laid out, not upon the raising of villages, or the building of houses, or the making of farms or roads, but laid out in accomplishing the objects which the Imperial Government had in view when they promised advances of so much money in favour of this object. Now, did any one imagine for one moment that any capitalist would embark his money in such a speculation—a speculation which, more or less, was at the present moment occupying the public attention, and which was, in fact, the plan adopted by the noble Lord, although he had not openly avowed it. Well, then, looking at the progress which the colonies had made—looking at the more extended system of colonisation which had been adopted—looking at the vast stream of emigration which was now going on, slowly, but successfully—he was of opinion that the adoption of such a scheme as had been hinted at by the noble Lord, would, in all probability, materially check that voluntary stream of emigration — a result which could not fail to be extremely dangerous to the interests of Ireland. And he must be permitted to say, that one large source of pecuniary aid to emigration would, he believed, be dried up, if the noble Lord succeeded in obtaining the appointment of a Committee of Inquiry. Not that the Government objected to inquiry; much interesting information might be gained by that course; but at the same time he thought that an inquiry, conducted by a Commission such as the noble Lord proposed, would be calculated to arrest the public attention, and the voluntary emigration which was now going on in Ireland would be stopped—a result most prejudicial to the interests of Ireland, particularly at the present time. He was apprehensive, if the Government were supposed to be about to interfere in the present movement, if that news spread throughout the country, the people would naturally conclude that if Government assisted the people of one district, they would assist all similarly circumstanced, and private enterprise would be impeded for a time. It would certainly check the large influx of available funds now coming to this country from the colonies in aid of voluntary emigration. Upon this subject he would read a memorandum which had been received at the Colonial Office from the chief emigrant agent in Canada West, the contents of which were important in respect to the point he had just adverted to. It was dated—

"Montreal, May 7, 1847.

"I am of opinion that there are thousands of settlers in Canada who would readily undertake to provide for their relations, if they could be brought to them free of expense. The funds placed at the disposal of the emigrant department only authorize relief to the indigent after they land at Quebec. I have been frequently applied to of late years to know whether any Government assistance would be granted in such cases as those mentioned by Mr. Forbes;"—

(This was a gentleman who had interested himself in promoting emigration to Canada);

—"and offers have been made of small sums, averaging from five to twelve dollars, towards defraying the expense of their transport. But all it was in my power to do was to assure the applicants that if they would exert themselves, and save enough to pay their friends' passages to Quebec, they should be forwarded for the remainder of the journey free of expense."

The noble Lord would see that the emigration agents superintended the forwarding the emigrants onward on their journey.

"There are very few instances of emigrants becoming a burden to the community after they reach Canada, unless they remain in the towns. The sums remitted by settlers in Canada to enable their relations to emigrate, are rapidly increasing in amount. A few years ago, such remittances were rare; they are now becoming almost general. The effect of saving money for such a purpose is highly beneficial, as it acts as a spur to industry, and makes them saving and prudent. I am apprehensive, if once the Government interfered, it would check the present movement. The news would soon spread throughout the province, and the remittances, to a great extent, cease; for they would naturally conclude, that if aid was given to the settlers in the parish of St. Columban to bring out their relations, it could not be withheld from others similarly circumstanced. Nor does it appear to be fair to confine such assistance to settlers from one part of the United Kingdom, any more than to one section of Canada. I have received repeated applications of the same kind from Scotch settlers of late years."

He called the attention of the House to this account, given by a most intelligent emigration agent, and he could show that there had been large sums derived from such sources, not less than 300,000*l.* or 400,000*l.* having been remitted by emigrants in the colonies to this country to aid individuals in going out to join their relatives and friends. Then, if this were so, it became a very important question, and he asked the noble Lord to consider whether or not his inquiry would not withdraw and dry up this resource? He would ask the noble Lord whether he did not believe that the appointment of a Commission of Inquiry would not paralyse all efforts now making in Ireland and Scotland with reference to emigration—whether it would not, in point of fact, check that voluntary stream of emigration now flowing so freely on? and if he did determine to check it, he would ask the noble Lord what scheme he had to substitute in its place? The noble Lord proposed no plan; he proposed to inquire. How long would his inquiry take? It must necessarily be one conducted under great disadvantages; the information must be obtained from all the colonies. They did not mean to confine their inquiries to one colony. Did they intend the inquiry to be of benefit to Ireland? Then they must bring the results of that inquiry immediately into action. He would ask them what was the House, what was Ireland, or the country to look to while this inquiry was going on? As he had shown, the number of emigrants had been 117,000 in the present year; and those persons had found or were finding their way across the Atlantic, either by their own voluntary exertions or that of their landlords in Ireland and Scotland. That stream was still flowing on. [Mr. M. J. O'Connell: Not so fast.] But the noble Lord, without giving any security whatsoever upon the subject—without proposing any definite plan, asked them to check that stream, for that must be the effect of the noble Lord's Motion, if carried. They would have to wait until the report of the Commission which he asked for was laid on the Table of the House. Now, the noble Lord said that he put forth no views or theory of his own. The noble Lord had cautiously abstained from doing so. He sought, therefore, to introduce no system. He agreed with the noble Lord in his general views as to the importance of colonisation, and as to the necessity of giving every facility to emigration. But he contended that there was nothing at this moment which prevented colonisation being carried on upon a large scale by private individuals. In the present state of the money market it would be most imprudent for the House to entertain any project which would encourage the hope on the part of the public that the Government intended to advance still larger sums for the purposes of emigration and colonisation. To show that the Government had not been indifferent on those points, he might refer to what they had done in New Zealand. In New Zealand assistance had been long asked of Government to settle the conflicting claims of the colonists—that assistance had been given.

He would not further enlarge upon the subject than to say, that he trusted the results would be such as to call hereafter for the approbation of the House; and if they should be pleased with the plan that had been adopted, he hoped they would agree with him in the opinion that a constitution should be one of the first things given to a new colony. Hitherto it had been a matter of reproach to the Legislature, especially with regard to the Australian colonies, and more especially New Zealand, that nothing had been done towards extending to them the constitutional liberties enjoyed by England. He might state, as he had stated in that House on a former occasion, that with regard to the Australian colonies he would have submitted to them a Bill which his noble Friend (Earl Grey) had long had under his consideration for giving a representative constitution to those colonies, had it not been for the pressing business of this Session. Colonisation, he wished to observe to the noble Earl, did not consist merely of sending out a number of people in a ship to one of the colonies. [The Earl of LINCOLN: Hear, hear.] Nor did emigration. But the noble Lord did not not go beyond that. But he should repeat, that what was at present being done for emigration, was of vastly greater importance than anything that had ever been done before. More was being done than merely sending men out to find work for themselves. An excellent system had been adopted by that important company to which the country was indebted for the possession of New Zealand; and in the support that had been given by the Government of that colony, they had been carrying out those views of colonial policy which he (Mr. Hawes), for one, had always contended for as containing just and sound views of colonial government. But it appeared that the noble Lord, after all, sought rather to discuss the question, for the purpose of discovering whether the Government was devoting its attention to the subject, than for the purpose of bringing forward any particular plan of his own. So far as the Government could collect or did possess information, the House had only to order and to obtain the production of it; but he believed that the emigration at present going on immediately under the superintendence of his noble Friend, was carried to an extent far beyond all former precedent. The noble Lord referred to a Motion that had been made on this subject two or three years ago. That Motion had been brought forward, and argued with singular ability; but it did not result in an inquiry, which was the object of the noble Lord, but in a distinct plan. A plan was proposed by his hon. Friend the Member for Liskeard (Mr. C. Buller); but when it was afterwards discussed in Canada, it was found that insuperable difficulties were in the way of any attempt to carry it into effect. His belief therefore was, that it was not in the power of that House to frame a Commission which could obtain the necessary information in this country. Any plans formed should be sent, before being acted upon, to the Government of the colony affected, and inquiry should also be obtained through the emigration agents, as was now done. That, he believed, to be a far more useful and practicable mode of ascertaining what was the best plan to be adopted in any particular instance, than a general system of inquiry, the effect of which must be to put a stop to the tide of voluntary emigration. He would, therefore, leave it to the noble Lord, whether it would be right to press his Motion to a division, and to insist on the appointment of a Commission? He entirely concurred in the objects which the noble Lord had in view; nor was there any indisposition on the part of Her Majesty's Government to further those objects. No one would be more delighted than the noble Lord at the head of the Colonial Department to have a large fund at his command, to carry out the objects of the noble Lord. There existed no difficulty in finding plenty of fruitful land and plenty of labourers to cultivate it. All the requisites and elements for the establishment of a great system of colonisation, were fully possessed; nothing, at this moment, was required but an adequate fund to put the system into operation. Here existed the great difficulty; and what, under these circumstances, would be the consequence of appointing a Commission? It would create expectations which could not be realized, and excite hopes that must end in disappointment. Speaking on the part of his noble Friend (Earl Grey), he could assure the noble Lord that no one was more anxious to promote the welfare and happiness of the colonies than he, and no one devoted more thought to devising the best scheme of colonisation by which their happiness and welfare might be attained; and it was his own opinion that if the Commission now proposed by the noble Lord were appointed, it would rather interfere with

than advance the inquiries which were at this moment going on under the direction of his noble Friend (Earl Grey), with the hope of benefiting the colonies by promoting additional emigration from this country. Not being able, then, to conceive how any advantage could be derived by the adoption of the plan proposed by the noble Lord, but, on the contrary, believing that the appointment of a Commission at this moment would have a prejudicial tendency, he did entreat the noble Lord to pause, especially considering the state of Ireland, before he pressed his Motion. He would not make any direct Motion in opposition to the noble Lord, and he should be most unwilling to give a negative vote to any proposition having in view so desirable an object as that which the noble Lord sought to achieve; but he would again entreat the noble Lord to consider whether, in the present state of Ireland and of Scotland, this was the time to do anything that would check the course of voluntary emigration that was now going on. There was no principle which the noble Lord had enunciated, and no plan which could be proposed, the importance of which Her Majesty's Government were not prepared to take into consideration; and so far as any further inquiry was concerned, they were not only willing but anxious to obtain the very best information that could be procured, and which he believed they had in their power to secure more readily and completely than any Commission could do.

Mr. GREGORY, before replying to the observations of the hon. Gentleman, wished to remark, that this Motion was not conceived on the part of those who advocated it with any unfriendly feeling towards Her Majesty's Government. On the contrary, it was brought forward with the most sincere wish to extricate the Government from a state of embarrassment caused by circumstances over which they certainly had no control. It was therefore with the greatest regret that he had listened to the speech of the hon. Member for Lambeth, inasmuch as he had expressed it to be his intention to meet the Motion with the direct negative. [Mr. Hawes: No, no.] The hon. Gentleman at least expressed a wish that the noble Lord would withdraw his Motion, without at the same time promising that Her Majesty's Government would give that attention to it which, in justice, it was entitled to receive. Things could not go on in the present deplorable manner. The crisis had now fairly arrived, in which palliatives merely could no longer be applied. The time was now come for the adoption of a series of measures, the foremost of which in importance he conceived to be the measure which his noble Friend now proposed. The social condition of Ireland had been entirely broken up by the destruction of the staple food of 6,000,000 of its inhabitants, and it now required the master hand of a great statesman to mould and fashion it in a new and better combination. Colonisation could not effect all they desired; but no other measure which Government might devise could be rendered applicable or beneficial without it. After all, what were the objects they had in view? Were they not to give security to life and property in Ireland, to promote the introduction of capital into that country, raise the Irish peasant to a level with the English agricultural labourer, and to do away with the party feuds and religious animosities which distracted that portion of the United Kingdom? But not one of these things could be accomplished so long as there existed a redundant population there. While the present system of competition for land existed, it was impossible that either life or property could be secure; and if neither life nor property were secure, capital, so far from flowing into that country, would fly away from it. As long as the peasant class in Ireland subsisted upon wages almost inadequate for the support of life, so long would they be in a state of degradation; and so long as they had one class of the people of that country, composed of one religion, in a state of degradation, and another class, composed of another religion, in a comparative state of comfort, so long would the former look with unkindly feelings upon the latter, and strife and ill-will would exist. Therefore, twist and turn it as they would, it must resolve into this point—the inadequacy of capital in Ireland. The noble Lord the Member for Lynn (Lord G. Bentinck) was fully aware of this state of things; and he clearly perceived that there were only two alternatives—the one, to increase the capital to a level with the population; the other, to decrease the population to a level with the capital. His noble Friend chose the former alternative; but the House did not think fit to sanction that proposal. There were financial difficulties in the way; but no such difficulties presented themselves against the adoption of the plan now proposed. Some of the mea-

sures which Her Majesty's Government had brought forward this Session, he had supported, but there was one which he had opposed, namely, the Irish Poor Law; but had the noble Lord at the head of the Government made a systematic plan of emigration an adjunct to the Poor Law, he should not have opposed it as he had done, from a conscientious conviction of its utter impracticability. It could not be denied that the proposal for an extended Poor Law had given rise to some wild speculations and ideas, both in England and in Ireland. It had given rise to a notion among the Irish peasantry that henceforth they were to be supported at the expense of the community; and it had given rise in England to a belief that the effect of the law would be to relieve them from all further intrusion of Irish paupers. At the present moment there was a temporary measure of relief in operation in Ireland; and at the same time the immigration of the people of Ireland into this country was proceeding at the rate of 1,000 per *diem;* and what prospect had they, from the reports they were daily receiving, as to the probability of work being afforded under the Poor Law to the thousands who were at present supported under the temporary Act? It was perfectly impossible, in the present condition of Ireland, that under any system of Poor Law, work could be given to all the able-bodied. The present proposition, therefore, was not, as the hon. Member for Lambeth had stated it to be, a proposition for sending the able-bodied labourers to Canada, but to send the surplus of those able-bodied labourers for whom at the present moment there was no employment at home. He should like to ask the hon. Gentleman how a Poor Law would remedy this anomalous position in regard to labour in the two countries? In spite of their Bills for the improvement of estates, it was perfectly notorious that whatever means they might take to increase the production of human food, or however much they might increase the breadth of tillage, the same want of employment would exist; for it was a fact, confirmed by reports made to that House, that in proportion as the cultivation of land was improved, the demand for agricultural labour decreased. It appeared by the report of a Commission appointed by the House of Commons a few years ago, that the quantity of food which required the labour of seven individuals in 1831, was capable of being produced by the labour of five individuals in 1841. Thus the very means adopted for improving Ireland, were calculated to increase the number of unemployed able-bodied labourers. He would instance the case of the county of Mayo to show the extent to which this increase was likely to proceed. In that county there were 46,000 farms, 44,000 of which were under fifteen acres. There were 67,000 able-bodied men who had only a sufficient quantity of food to subsist on for one day in four. In former times they might subsist on the conacre system, occasionally emigrating to England in harvest time; but what were they to do now? The potato crop had failed, and how were they to exist? They might, it was true, exist for a time in their own country; but it would only be by the total confiscation of the property upon which they were located. That, however, must come to an end, and then they would have no other alternative than either to die in the ditches, or else increase the pauperism of England by swelling the half-fed Irish population which composed the inhabitants of Whitechapel, in London, filled the cellars in Liverpool, and crowded the closes in Glasgow. With such a prospect before them, did it not become the imperative duty of the Government and of the Legislature to transfer these unfortunate people from their own unhappy homes to regions where health and wealth were before them? After looking over the catalogue of remedies which successive Legislatures had proposed for the evils of Ireland, it appeared to him that colonisation was one which must be ancillary to all the rest. The population on this side of the Atlantic was a population of poverty; on the other it was a population of wealth. Here, population was redundant in relation to capital and labour; on the other side, land was redundant in relation to capital and labour. The Under Secretary of State had said, that the proposed emigration was too expensive, and that if it were adopted it must be extended to England and Scotland; and its friends were prepared for advances to all parts of the country. The hon. Gentleman complained of the proposal of Mr. Godley, as taking 9,000,000*l.* of capital from Ireland. That was not the proposal; but it did include an income tax of 5,000,000*l.* to be raised in Ireland; and here he must ask, how much money was now being expended there? The estimates had been increased by 8,000,000*l.*, and yet the Serbonian bog was still open and gaping for more. Taking into consideration, therefore, the large ex-

penditure now going on, and the fact that notwithstanding the money, the bone and sinew of the country, was leaving her, he thought that whatever the proposal of his Friend (Mr. Godley) was, it would fall short of the expenditure which was now saddled upon the country. His proposal had reference not only to the country from which the colonists came, but also to the country to which they were to go; and he denied that in the end there would be any abstraction of capital, for it would be returned with interest. They proposed that a certain amount should be expended on public works, where the emigrants would earn the money to settle themselves on the land: they did not propose to shuffle out the paupers to the colonies, or to feed them from the Commissariat; but to take the surplus population from Ireland, and to absorb it in useful and reproductive labour in the colonies. And when the hon. Gentleman expressed apprehensions of so great a scheme of emigration, he wished him to read the despatch of Mr. Burley to Sir John Colebrooke, in which he said, that without bridges and roads the settlers in Canada had nothing to look forward to, except to provide for the daily necessities of their families or for some party of lumberers. There was a far different state of things in the United States; and one great object was to do away with the marked contrast between the two countries; for, whatever might be the settlers' principles of loyalty, they could not be satisfied with seeing on one side activity, and trade, and commerce, and the settler flourishing, and on the other nothing but absolute stagnation. The advocates of the scheme were not met with a denial of its merits or its necessity, but by a recapitulation of what the Government had done; and the hon. Gentleman objected to the inquiry, because considerable improvements had been already made. This was the old mode, and it appeared as if the Colonial Office had a set of stereotype speeches for each new comer, and that a speech used by an hon. Member on one side a year since, was to be used by an hon. Member on the other side the next year. But what had been done since the Motion of the hon. Member for Liskeard (Mr. C. Buller) in 1843? and if nothing had been done, what reason was there for the credit he then obtained? If that speech came home to them when it was delivered in the midst of unparalleled abundance and prosperity, how much more must it come home to them when they must cling to his recommendations almost with the pertinacity of a dying man! They had been told that 117,000 emigrants had gone to British America this year; but this had not produced all the good which would flow from an efficient system. At present the emigration was comparatively of little use to British America, whether the stream flowed; to the country from which it flowed, as the condition of Ireland proved; or to the emigrants themselves. It was open to the chief of the objections urged by the hon. Gentleman, that the capital and enterprise of the country was chiefly lost, and that precisely those persons departed who had the greatest inclination to give increased employment. With respect to the objection raised to the great extent of the proposed emigration, he must remind the House that a well-regulated system of emigration was proved by Dr. Chalmers always to recruit its numbers; and yet it stopped imprudent marriages, introduced moral considerations, and prevented the population, when reduced, from increasing its numbers more than the capital and the means of subsistence increased. The hon. Gentleman had thrown in their teeth the experiment tried in 1825, and calculated the expense of settlement at 23*l.* a head; but he (Mr. Gregory) said, that the only expense was lending money to the colonial Legislatures to be employed in useful public works. If they were simply to feed the emigrants, as the noble Lord the Secretary for the Colonies proposed on the 31st of December, 1836, he admitted that the whole expense would be lost, and the system would prove a failure. There was another objection raised in the bitter articles of the leading journal, *The Times*, on which he must also make some remark. The objection was, that they would reproduce in the new world the vices and the turbulence prevailing in the land which the Irish left; and the objection was so inviting, and attracted so much public attention, that he could not help adverting to it. Were it not even for the examples of a totally opposite character which his noble Friend had read from Judge Robinson's letters, he did not think that such an argument could be used by any gentleman who called himself a liberal politician; for they must recollect the course of legislation and the assertion that the cause of the turbulence in Ireland was the mode of government; and it seemed impossible to say that the vices of Ireland could never be eradicated, or that there was the one black

spot which could only be rooted out by the destruction of the whole Celtic race. He did not believe that such an opinion was generally held; but it had attained much weight with the public, and was an objection to any system of emigration in which the Irish largely participated. For himself, he thought that if they gave the Irish a fair participation in the honours and the emoluments of the country in which they dwelt, they would not be less attached to the constitution than any other body of men. Heretofore they had been governed on sectarian principles at home, and had been employed in America in tasks which slaves would scarcely like to perform. But he had heard from Halifax that there were no colonists who did better than the Irish; and it must not be forgotten that in 1798 a body of Irish insurgents seized a vessel, and forced the master to run her on shore in North America; their wives and families afterwards joined them; they were now one of the most peaceful and prosperous colonies in that country; and he did not believe that the Executive and Legislative Councils of Newfoundland, though they were composed principally of Irish, could afford any imputation against their original country. He would only refer to one other objection—that the money should be employed to promote the happiness of the people at home, and the complaint that Canada or the grave was the alternative which the landlords offered the people. This was a false accusation. Providence had afflicted the nation with a pestilence—emigration was advocated as a relief—and he remembered that Mr. W. S. O'Brien, the leader of the Irish Party in 1838, declared he could not agree in any appeal to the patriotism of his countrymen to remain in a country where the supply was insufficient for their wants. It was especially out of regard to the welfare of the people themselves that this appeal was made to Her Majesty's Government, and he regretted that it was made in vain.

MR. V. SMITH observed, that the hon. Gentleman who had just sat down had alluded to some measures and plans of colonisation; but the great difficulty he felt in speaking on the subject was, that no measure or plan had been proposed by the noble Lord opposite (the Earl of Lincoln). Throughout the whole of his speech the noble Lord seemed to be afraid lest the House should suppose that he suggested any plan. The noble Lord repeatedly said that he had no plan of his own to lay before the House; but he proposed the appointment of an unpaid Commission to consider any plans that might be submitted to them. Although he concurred with the Under Secretary of State for the Colonies (Mr. Hawes) in admitting that the noble Lord had entirely avoided any display of party feeling, he must say that he could not feel much gratitude to the noble Lord for introducing this subject in the manner in which he had brought it under the notice of the House. He thought the course taken by the noble Lord, who had evidently given the subject most careful consideration, in stating that he was not prepared to propose any measure in order to carry out his views, was rather calculated to mislead the public, than to advance the cause of emigration. The noble Lord had entered into the distinction between colonisation and emigration — a distinction which he (Mr. V. Smith) must admit he was unable to understand. It appeared to him that colonisation was what hon. Gentleman opposite talked of, while emigration was the theme of hon. Gentleman on his own side—that colonisation was the Opposition subject, and emigration the Ministerial subject. Hon. Gentleman opposite appeared to be the advocates of colonisation, while hon. Members on his own side of the House were supporters of a little emigration. The right hon. Member for Liskeard (Mr. C. Buller) and the hon. Member for Lambeth (Mr. Hawes), when they were in opposition, had talked of nothing but colonisation; but the moment they came over to that (the Ministerial) side of the House, they found colonisation impossible, and a little emigration was all they were prepared to dole out to the public; and it was not until the noble Lord (Lord Lincoln) had gone into opposition that he had suggested to the House a grand scheme of colonisation. Colonisation, in the time of the ancient Greeks, was well understood; enterprising and energetic men set out to acquire territories by conquest or by possessing themselves of unpeopled regions, and they became leaders of parties and governors of States. More recently—almost in our own times—under the pressure of political persecution, or for other reasons, persons had been led to quit this country for distant lands, where they had formed settlements and established States. But no such scheme had been undertaken by the Government. It was true, the New Zealand Company, and other similar associations, had attempted such

projects; but they had never been undertaken by the Government. The noble Lord had not proposed any plan of this nature. Indeed, the nearest approach to such a proposition had been made by the right hon. Member for Liskeard, in his memorable speech in 1843. The noble Member for Falkirk, however, had not gone so far; but if that noble Lord intended to adopt as a precedent the course pursued by the right hon. Member for Liskeard, he would, no doubt, withdraw his Motion, for that had been the practice of all hon. Gentlemen who had brought this question under the notice of the House. The noble Lord had commenced his speech by saying that he considered colonisation might be advantageously adopted, with a view to improve the social condition of Ireland; and the noble Lord had referred to the measure proposed by the Government with a view to relieve that country. The Landed Property Bill had been passed; but another Bill to which the noble Lord had referred, the Waste Lands Improvement Bill, had been withdrawn — and why? Simply, he believed, because in the present state of the money market, and in the present state of feeling in this country, the British public would not hear of any other speculations on behalf of Ireland. During the present Session of Parliament the British public had come forward nobly and magnanimously, and had thrown their money down upon the soil of Ireland, that the poor people of that country might pick it up. The measures proposed by the Government had certainly been measures of humanity; but they had been the measures of seamen in a storm—throwing everything overboard in order to save the ship. The people of England, having consented to an enormous outlay for the relief of Ireland, were not prepared to engage in any uncertain schemes of speculative benefit to that country, till they had seen the effect of the Poor Law which had received the sanction of that House. He must say, with reference to that measure, that he could not help feeling great distrust of the Irish people; he could not help feeling that they were incapable of the honest exertion, the prudence, and the integrity, which were characteristics of the poor of this country. He did not think that the success of the experiment about to be made in Ireland would be promoted by adopting, as an accessary to the measures sanctioned by Parliament, an extensive scheme of colonisation; and certainly the adoption of such a scheme would not assist the people of this country in forming a judgment as to the success of the Irish Poor Law. The noble Lord had admitted, as all other hon. Gentlemen who had brought forward proposals on the subject had done, that a large scheme of colonisation would be most expensive. No one doubted that in this country there were too many people, while in the colonies there were too few; but if they attempted to establish a more just proportion in the population of the mother country and of the colonies, the question was, who was to bear the expense? The colonists could not sustain the expense; it must, therefore, be borne by the mother country; and this was one of the great difficulties attending the question. The noble Lord had alluded to certain colonies to which he suggested that colonists might be sent. He (the Earl of Lincoln) had expressed great doubts as to the Australian colonies and New Zealand; but he thought that something might be done in the way of colonisation at the Cape of Good Hope. He (Mr. V. Smith) remembered many years ago, that Sir G. Dampier gave a very unfavourable opinion of the prospects of colonisation at the Cape; and he thought the present circumstances of that colony were not likely to induce many persons to encounter the dangers to which they might be there exposed. He believed that during the last two years not more than 500 persons had emigrated each year to the Cape of Good Hope; and this fact showed that there was no very strong disposition among emigrants to resort to that colony. He considered that many persons fell into a great mistake in supposing that the Irish were bad colonists. He had received a letter from Mrs. Chisholm, a lady residing in Australia, who stated that, so far from being bad colonists, the Irish were the only persons upon whom she could depend for making expeditions into the interior of the country. The noble Lord opposite had proposed the appointment of a Commission to inquire into various plans of colonisation; and he had, in the first instance, referred to the plan of Mr. Wakefield. But that plan the noble Lord disposed of. [The Earl of Lincoln: I said that it was not applicable to Canada.] Well, but the system had been tried in respect to South Australia; and the Commission to carry it out failed, not from any difficulty in the plan itself, but from the circumstance of great extravagance connected with it. The colony, however, was

restored to great prosperity through the instrumentality of the governor who was selected for it, Captain Grey; and this was a proof that one of the most important duties devolving on the Government was the selection of good governors for the colonies. Captain Grey found South Australia bankrupt, and he left it flourishing; and he found New Zealand in a state of great difficulty, and it now promised to be as flourishing as any colony belonging to the British Crown. Mr. Wakefield's plan there would not suit the noble Lord. Then came Colonel Torrens's plan, and that the noble Earl objected to. Then came the plan of the hon. Member for Liskeard, to which the hon. Gentleman who had just sat down stuck with a tenacity greater than that of the hon. Member for Liskeard himself. The last of all these schemes was that of the present Secretary for the Colonies, who on the 31st of December, 1846, proposed the establishment of small villages by colonisation in Canada. That plan, in his opinion, was good; for if there were to be representative assemblies, they must begin by giving municipal institutions. Nothing could be more wise than the opinion of the noble Lord, that, in order to give municipal institutions, they must have classes congregated together in masses; and, therefore, it was the noble Lord's scheme to select places for villages with moderate populations. That scheme was excellent; but the noble Lord who proposed it withdrew it on the 29th of January, 1847, and the scheme was consequently abandoned. Therefore, there was no use for inquiring into that. With respect to Mr. Godley's plan, he thought that there was one part of it which Irish Members would not be glad of, for it included an income tax for Ireland. Thus, the noble Lord's Motion resulted into a demand for a Commission to inquire into plans which had all been declared by various authorities to be inefficient. Then, what was this unpaid Commission to inquire into? If appointed, it must extend its inquiries to the colonies; and he very much feared, as the Under Secretary for the Colonies had stated, that it would tend to prevent the wholesome emigration now going on to the colonies. He thought it was a most unfair description on the part of the noble Lord, when he spoke of emigration as the shovelling of papers from this country. [The Earl of LINCOLN: I borrowed the term.] The term had been so applied. Now, he thought that it was by the information afforded by the Government to emigrants —by the assistance given by the Government to them on their passage—that a bridge, as it were, was built from the mother country to the colonies. He thought that a great deal more might be done in this way; but the mode was not so incomplete as the noble Lord seemed to suppose. It was going on in a course which would be most desirable; and until the noble Lord had some large plan of his own, and could state the sums of money necessary for its execution, and the mode in which the noble Lord would locate the large masses of men to be sent out, he did not think that a safer course could be pursued than that which the Government was now pursuing. He thought that the speech of the noble Lord was calculated to interfere with the progress of this emigration by holding out large hopes to the people, who would otherwise be willing to act on the smaller means afforded them. He did not know whether the noble Lord meant to press his Motion to a division; but if the noble Lord did, he should, for the reasons he had stated, certainly vote against it.

SIR ROBERT PEEL: Sir, I think the House may take it for granted, that whatever arguments could be adduced against the proposition of my noble Friend, have been brought forward by the right hon. Gentleman who has just sat down. He is a gentleman of great acuteness, great ability, great knowledge of the subject, and great power of stating his views. He has the advantage of having served in the Colonial Office, and becoming acquainted with the details of this subject; and he possesses the other important advantage of retirement from office, thus being possessed of an opportunity of considering the question maturely—an opportunity which those who are engaged in the various details of office cannot command. The right hon. Gentleman having an active mind, official experience, and the inestimable advantage of leisure, has been enabled to consider this subject in all its bearings, and it is therefore to be supposed that he has brought forward against the proposition of my noble Friend the most forcible arguments. I now propose to review the arguments which the right hon. Gentleman adduced; and I take first in order, that which he has urged against those who in opposition take up the subject of colonisation. He says, that those who are in opposition, are always ready to take up the question, and call it colonisation; but the

moment they take office, they immediately see many good reasons against colonisation, and the question in their hands dwindles into emigration—that all the grand hopes of colonisation held out by the plans of those in opposition, dwindle into the small realities of emigration when they get into office. What, I ask, is the reason of this? Is not one reason, that the duties of office are now so burdened with details, that it is impossible for those who have to consider those details, to make sufficient inquiries into the subject to enable them to bring forward an efficient measure? The right hon. Gentleman has stated, that Lord Howick proposed one, and that the Judge Advocate proposed another; that all their speeches were in favour of colonisation when they were not in office, but that when they obtained office they abandoned their schemes, and allowed them to dwindle into emigration plans. If that be so, then, I ask, is it not time to adopt some other course? Is it not time to see whether or not some plan might not be adopted which would be practicable, if the magnificent plans of those who are in opposition are found to be impracticable by those in office? If that be so, is it not time that we should adopt some alternative such as my noble Friend suggests, between the large promises of the Opposition, and the small propositions of the Government? The argument of the right hon. Gentleman is, in fact, the strongest argument in favour of the adoption of another and a better system, than that which now prevails. Well, what is his second argument? It is this: He says, that at present we conduct our emigration badly; that we leave it to individuals; that those individuals go without proper concert to other countries; and that they go without any plan such as they formerly had when persons of talent went out, and surrounded themselves with their dependants and friends, and established themselves in different colonies. That, he says, was the plan which was adopted in ancient times; and, if it were so, does it not establish a sufficient ground for an inquiry, whether we should not adopt a plan for the establishment of a better constituted system of emigration? The right hon. Gentleman says, that there are many grievances connected with our present system, and that we failed, not because of the lapse of time, since a more successful system was adopted; not because of the change of circumstances—for he states, that a neighbouring country, within a short sail of this, conducts its plan of colonisation, not emigration, on a principle of which he approves—a principle something similar to that which was adopted in Pennsylvania, namely, taking out spiritual conductors with the emigrants, and providing that they shall go in an aggregate and social character. His next argument was this—that if the noble Lord will withdraw his Motion, he will just be pursuing the course which has always been pursued on former occasions. He says, "A Gentleman brings forward a Motion, disturbs the public mind, makes a very long speech, shows himself to be a perfect master of the subject, leads the public to believe that really we are foregoing great advantages, which by a little attention we might realize; but he withdraws his Motion in despair, in consequence of discouragement on the part of the Government;" and he says, that if my noble Friend follows that course, he will be following in the beaten and unprofitable track. I must confess, I never heard a more inconclusive reason why a Motion should be withdrawn; and yet, that was his third argument, for the right hon. Gentleman proceeded, like a great orator, from one position to another, reserving his climax to the last. I think, if he had left the argument there, it would have been conclusive. But not so; so determined was he that there should not be a loophole of escape from him, that he went on to review the course which other projectors of plans of emigration had taken. He said, first of all, there was the scheme of the Judge Advocate, who laid down general principles of emigration; but then, he said, the Government were wise enough to challenge that right hon. Gentleman to propose his particular scheme, and he was unwise enough to fall into that trap, and propose a plan of emigration which was referred to the Colonial Office; and the Colonial Office having a good deal of official experience, contrived to damage the plan in all its details; and having proved that this was the cause of the failure of the Judge Advocate, the right hon. Gentleman blames my noble Friend for taking warning by that example, and not being prepared with the plan which the hon. Gentleman the Under Secretary (Mr. Hawes) expected—which he was greatly disappointed at not receiving—and which, not having, he was obliged to say, towards the middle of his speech, "A deputation waited upon some Member of the Government and suggested a plan, which I should

be too happy on the present occasion to have the opportunity of attributing to the noble Lord, and then disposing of it." But my noble Friend took warning by that example, though still believing that there is a strong impression on the part of the public, that a plan might be devised, and that you need not have a long roving commission; for you will find very able men, now in the colonies, I apprehend, who will be able to give you a good deal of information with respect to the feeling of the colonies upon the subject—more, perhaps, than the hon. Gentleman is aware of—and only on this account, that the hon. Gentleman is so overwhelmed by having the charge of the practical details of some thirty or forty colonies, that he really has not the opportunity of making those inquiries which are necessary. Then, as to the reflection upon the Government, I do think, all our discussions with reference to the state of Ireland, have been conducted with an absence of party feeling, which must have convinced the Government that we would not pander to any such disposition. There has been a full recognition of the difficulties under which the Government labour: even if they fail, every disposition has been shown to impute their failure, not to negligence or want of ability, but to the force of circumstances which no human ingenuity could control; and it is not likely, that at the close of the Session, a Motion would be brought forward implying censure upon them. With respect to the noble Lord at the head of the Colonial Department, I will say that for experience and ability to form a judgment upon a matter of this kind, I know no person who ever held that office upon whom in that respect I should be more unwilling to pass or to imply a reflection. But really the reason why we have not addressed ourselves practically to this matter is, that it is almost impossible for the Government to make those full inquiries which are absolutely necessary. But I was diverted from following the right hon. Gentleman: after he had done with the Judge Advocate, he came to Earl Grey. Now, if he had said, "Earl Grey has been a most successful proposer of plans: he is in office, he has proposed plans that are now in operation, and will probably be crowned with success;" then I could have understood the reason why a Commission should not be appointed: but, says the right hon. Gentleman, "the Earl Grey, the Secretary for the Colonies, absolutely proposed a plan in December last which he found it necessary to abandon in January." Why, if the Secretary of State himself, with all his access to official information, with the command and with the facilities which his office give, proposed a plan of emigration within a short period after his accession to power which he found it necessary to give up, surely that, though no reason why we should abandon the consideration of the question of colonisation, is a decisive proof of the difficulty of practically dealing with the subject. Then the right hon. Gentleman turns to the Irish Members, and he says there will be 9,000,000*l.* wanted for the perfection of Mr. Godley's plan. I do not think it at all likely they will be called upon for 9,000,000*l.* to carry out Mr. Godley's or any other plan; but this is of importance to us, that the Irish Members have said in discussion, "We expect such benefits will result from opening to Irishmen an access to other countries, that we are willing to take upon us the charge of that experiment." The right hon. Gentleman says, that in the present state of incumbrances upon landed property, in consequence of the relief rate for the public works, he doubts if the Irish will be able to pay that 9,000,000*l.* They may not be able to pay that sum; but still it may be possible to realize some advantage. Even if you open an avenue to the departure of 300,000 persons, instead of 2,000,000, and locate them in a position of which they shall be able to report favourably, you are doing ten times more for the advantage of Ireland than if you had sent out 2,000,000 at once. In my opinion, any sudden transport or emigration of 2,000,000 from Ireland, we being uncertain of the issue of that experiment, would do little good. But if you begin with even 40,000; if you overcome prejudices; if you settle a small number in a remote country where they are enabled to make a favourable report; and if thus you open a permanent and constantly progressing outlet for the population in Ireland, then you will in my opinion not only be laying a foundation for the cure of evils prevailing in that country, but establishing new bonds of connexion between this empire and those colonies. It is most gratifying, I think, that such remittances have been made from Irishmen settled in Canada and the United States, for the purpose of aiding their distressed countrymen at home. I think it is most honourable to their character, and I feel

that it is most encouraging to colonisation. It is showing that Irishmen are not inferior to the men of any other country. Why we have been told to-night, that the lady said, they must get Paddy to lead the way in Australia. And if you can enable the people of Ireland in periods of distress to draw upon their fellow-countrymen in distant lands, and prevail upon those countrymen to invite them there, I say nothing can be more encouraging to emigration. I must here also say, I think the conduct of citizens of the United States, in remitting the contributions which they sent across the Atlantic, does entitle them to the expression of our approbation and our thanks. It is not the amount of money that has been sent over—this country might have contributed the money; what I prize is the charitable and friendly motive from which it has been done. It is a proof that there is a sympathy between the Anglo-Saxon race on this side of the water, and on the other. There may be some persons who have done it for less praiseworthy ends; persons may have come over here, and made parade of bringing sums of money, but that is not to prejudice us against the rest. This, I know, that there have been remitted unostentatiously, and purely from charitable motives and feelings, to members of the Society of Friends, sitting in Dublin on a relief committee, remitted from parties who never expected their names to be mentioned, supplies of food to the value of 57,000*l.* I was so informed by a gentleman, whose name I will mention, Mr. Jonathan Pym, who has been making great exertions for the relief of the distress in Ireland; and who stated to me that to that body sitting in Dublin, consisting, so far as its management is concerned, though not so far as contributions are concerned, of members of the Society of Friends, not less than 57,000*l.* had been sent by citizens of the United States, probably a great many of them members of the Society of Friends, for the relief of that distress; and, as I have said, from no other motive whatever except the dictates of humanity. Now, I do hope that the noble Lord will bear in mind the conduct which we have pursued with respect to him and his Government upon these questions; and if he thinks there is really a ground for doubt upon this subject, that he will give the benefit of that doubt to a proposal for inquiry, which is suggested for the purpose of facilitating the adoption of some plan upon this subject. It is not for the purpose of any triumph over a Government which is placed in difficulties with regard to Ireland; but I entreat the noble Lord to consider what is the evidence we have of the state of that country—what a prospect there is of the failure of the potato crop; and even if not of that, yet of such a heavy demand upon property for the purpose of supporting poverty in Ireland, that the Government of the noble Lord will be perplexed with a choice between two lines of conduct, either strictly to enforce the law, or to abandon all claim to that which is due. I do think that the abandonment of that claim will involve greater evil than the mere loss of the money; I should not half so much regret the loss of the money as I should fear the consequences of teaching the people to draw largely upon the fund placed within their reach in the expectation that when the pinching time of payment comes, the claim will be remitted. It is not fair towards this country. I believe that our best plan would have been, if we could have foreseen all that has taken place, for this country to make up its mind what sum it should absolutely give—to say, "Of the 8,000,000*l.* we are ready to give 5,000,000*l.* for England towards the relief of your distress; provide the other 3,000,000*l.*, but we will not place England in the relation of a creditor towards Ireland." I deprecate that position—for this country to have a very heavy claim upon Ireland for the repayment of money. I would much rather that a sum had been absolutely given *ab initio*, than there should be any sort of secret understanding that it was not to be repaid, or any expectation on the part of the Irish people that they might deal very liberally with these funds, because the time of repayment might never come. We have had experience enough to make us dread the periodical spectacle of 1,000,000 or 1,500,000 of people absolutely starving; a spectacle so disgraceful, and its consequences so replete with danger and insecurity of life and property, that we are bound to provide that the people shall not be left to starve; but, believing it to be absolutely necessary to give some new stimulus, and feeling that we must look to placing the landowner and occupier there in a new position, I cannot help thinking that the mass of destitution will be so great for some time to come, that if any means can be devised for facilitating the operation of the measures which have had the assent of this House,

those means should be carefully adopted. Is not this subject, at any rate, worth inquiring into? It is proved that there are 2,000,000 of people for whom there is not now profitable employment, and who must for some time to come continue to be a heavy burden; it is known at the same time that you have magnificent colonies on the other side of the water—6,000,000 of unoccupied acres in one district. Now, put these facts together—that in Ireland, the nearest part of your dominions to America, you have this mass of unemployed population, and that on the other side of the Atlantic you have magnificent provinces imperfectly peopled. If you can add to their population by measures grateful to the colonies, you will be materially adding to the strength of these provinces of the British Crown. It is admitted that the Government will have forthwith to devise some satisfactory plan of emigration; and it is not too much to ask that the Government will consent to this resolution. It is from no want of confidence in the Government that I support it, because the resolution leaves in their own hands the appointment of the Commissioners, who would merely inquire into the subject, and report whether some progress had not been made, and should not further be made, to relieve Ireland, and at the same time strengthen our colonies, by sending thither the redundant population of Ireland. We want the adoption of no scheme, but only that the subject should be inquired into. It is truly said in the report of your Emigration Commissioners, that, connected with Australia, one peculiarity is, that emigration to that colony entirely originated with the Government. You have here a colony four times the distance that Canada is from the mother country, and hear what those Commissioners say of the result:—

"Of the emigration to Australia, one peculiarity has been that it entirely originated with Government. Usually the part of the Government, for obvious reasons, has been to follow in the course of private enterprise, and supply any amount of direction or control which circumstances may require. But no one ever thought it worth while to provide accommodation to Australia for emigrants of the humblest class; all seemed to feel that even on the most economical scale, persons of that description were never likely to be able to pay the expense of their own conveyance to the furthest settlement on the globe. It was only after the Government had resolved in 1831 to try the experiment of disposing of its lands in Australia by sale, and applying the proceeds to emigration, that shipowners were induced by communications from the Government to make the experiment of providing steerage passages of the cheapest description. The price, which had never before been less than from 35*l.* to 40*l.*, was then at once reduced to 20*l.* And we may mention here, that in the course of subsequent experience, it has sometimes been reduced, when a large emigration was in progress, to 15*l.* to New South Wales, and even so low, under peculiar circumstances, as 12*l.* and 13*l.* to Western Australia and South Australia. . . . In order to show how far the attention bestowed on Australian emigration led to improvements in the art of conveying the people successfully, we may be permitted so far to enter into detail as to mention, that in the Government emigration which falls within our own knowledge, there has been a progressive and unceasing diminution in the rate of mortality; and that this rate, which in 1838 was so high as 4·84 per cent, was in 1839 reduced to 2·71 per cent; and in a small emigration last year to South Australia was no more than ·62 per cent. In 641 souls, the only deaths were of three children and one infant. We believe that the passage to Australia may now be made by large bodies of the labouring classes with less risk of death by disease, than amongst the same number of persons living on shore in England."

Why, give me three respectable gentlemen who shall be in the entire confidence of the Government, such men as Colonel Torrens and Mr. Hutt, who have watched the progress of emigration to South Australia, and who know the difficulties it experienced, and let them say whether it is not possible for you to conduct an emigration upon the same principle to Canada and Nova Scotia as to the other colonies where it has succeeded. If they show that this is possible, then let the Government proceed to take the necessary steps to carry it into effect. The right hon. Gentleman says that emigration to South Australia failed at first, but that you sent out a good governor; that through Captain Grey all difficulties had been overcome; and that by his energy he had converted what had been a colony of despairing paupers into a colony which boasted an affluent and prosperous population. Well, why can you not have a good governor in Canada also? You have sent Captain Grey to New Zealand, and I have no doubt he will make it prosper as well as South Australia. Be it so. Then, the original difficulty to the success of emigration has been inherent in the character of the governors of our colonies, rather than in the plan of colonisation. I am convinced that there are no difficulties that resolution and good sense will not overcome. Surely, then, you can find other Governor Greys in the Queen's dominions who might conduct an experiment in Canada upon the principle that has succeeded in South Australia. You have one now in Canada who will no doubt show equal intelligence, equal

energy and resolution, to Captain Grey. You may devise a scheme which will enable you to look forward to the willing consent of our fellow-subjects in the colonies; and under Lord Elgin there is no reason why emigration to Canada should not be as prosperous as to South Australia. There are many causes in its favour. The passage is cheaper, the facilities for the passage are greater, and the feeling of common association is quite as strong. I am convinced that the addition to the prosperity of the colony will be at least as great; but if, as I believe will be the case, you infuse a loyal and grateful population into the Canadas by this means, then my confidence in the permanence of the connexion of the Canadas with this country will be not only increased, but will be so confirmed that I believe it will be perpetual. You should take measures for a continually fresh infusion of colonists, who should be received into the nucleus of the older colonists, and live in relations of affection with them. I say nothing as to the past opinion which hon. Gentlemen may have expressed upon colonisation. I trust that the noble Lord will defer to what is, I think, the general sense of the House, and enable us to try whether, after repeated failures, we cannot devise some plan in the present imminent crisis of Ireland which will relieve her of her redundant population, and transfer to our distant colonies a people grateful for their escape from present danger, and attached to their Queen and constitution.

Lord J. RUSSELL: I am afraid that the course I am about to take will give some confirmation to the suspicions and remonstrances of my right hon. Friend the Member for Northampton (Mr. V. Smith). I regret that they should be so confirmed; but after the opportunities I have had of considering the difficulties of the subject, and of being acquainted with the information received by the Government during the last few months, I do feel bound to make this statement, even after the modifications made by the noble Lord with regard to the principles of colonisation. I will not enter into such portions of the statement of the noble Lord as referred to the number of destitute poor in Ireland, but go at once to that part of his subject more immediately connected with the present Motion. The noble Lord, I think, took a view not altogether just, either to the Government to which he belonged, or to the Government that followed it. Because by both Governments this subject of emigration and colonisation has not been left so entirely neglected and unsupported as might have been supposed from the noble Lord's speech. We have not left ourselves merely to the throwing out of these destitute poor upon the colonies without the means of subsistence; and it has not been reserved to this day to take measures to facilitate and render useful the removal of a redundant population from the shores of the United Kingdom to the shores of our colonial possessions. In the first place, we have an Emigration Commission, to the three gentlemen composing which, and to whose intelligence, the right hon. Gentleman who has just sat down has paid so just a compliment. These three gentlemen, then, have been employed in the public service watching that emigration under the Secretary of State, and taking care that it is conducted as usefully as possible to those who have the means to emigrate. The law also provides, that the vessels conveying emigrants shall be of certain dimensions; that the supply of provisions shall be sufficient; and that the vessels shall be seaworthy, in order that the lives of the emigrants may not be unnecessarily exposed. All this has been provided by law. The Emigration Commissioners have agents in different parts of the United Kingdom, who give every possible aid and protection to emigrants proceeding either to South Australia or to Canada; and not only is this the case, but the number of agents has been considerably increased during the present year, and since the present Government came into office. Not less than twenty cases have occurred in which accidents having happened to vessels before they cleared the port, emigrants have had the means afforded them by these agents of going to some other port, and by exciting the charity of the affluent they have been enabled to proceed to their destination. So far with regard to the care taken of emigrants leaving this country. But when they arrive in Canada, there are means taken, as originally proposed by me when Secretary of State for the Colonies, and a tax imposed in the province, so that those who are sick shall be taken care of in hospitals till they are able to proceed to their destination. Those able to proceed are forwarded on their journey to those parts of Canada where their labour is required, and where they are immediately able to earn ample means of subsistence. It is not

true, therefore, that the whole question of emigration has been neglected by the Government or the Parliament of this country. And let us consider how means are provided in regard to other parts of the expenses attending emigration, for which the Government and the Legislature have not appropriated funds. Many go at their own charges, and many also go from parts of England and Scotland, as well as of Ireland, who are furnished by their landlords with a sum of money sufficient to carry them to their destination. This year many large sums have been applied to that purpose. Many, again, proceed to the colonies, aided with sums from relations and friends who have already emigrated; and I believe that this year 200,000*l.* have been remitted for that purpose. In the course of the present year no less than 120,000 persons have been provided with the means of emigrating from the shores of the United Kingdom to the United States and Canada alone. That of itself is a very considerable emigration. But while it is so, let it be considered that it is not an emigration which is viewed with entire satisfaction on the other side of the Atlantic. I mention that, because when we come to discuss the particular Motion of the noble Lord, and the view I take of that Motion, we shall have to bear in mind that it is often of the very greatest importance —perhaps it is a matter of the greatest importance of all—that we should not follow a course likely to indispose other countries, whether our own provinces or not, to receive our emigrants by suggesting the idea that we want to get rid of the rubbish of our population; that, besides those whom we would gladly retain, there are others whom we would not gladly retain, as in mind and body fit to benefit their country. We know that in the United States measures have been taken—and the noble Lord (the Member for Lynn) put some questions to me on the subject—requiring the masters and owners of vessels carrying emigrants to give certain guarantees that they should not become a burden on the State when they landed; whereby a considerable check was placed upon immigration into the United States. These precautions are taken both at Boston and New York, and they may be taken in other States of the Union. In a private letter from the Governor General of Canada to my noble Friend the Secretary of State for the Colonies, that noble Lord states that the people of Canada, knowing the sense and shrewdness of their neighbours in the United States, seemed to think that if the latter had taken precautions in reference to emigrants, it would be wise to take similar precautions in Canada—that there must be danger in a great amount of emigration, such as was anticipated—and the question was raised whether they ought not to take precautions, and impose checks and restrictions upon the transfer of their soil of emigrants, of the same class as that against which the regulations adopted in the United States were directed. The Governor of Nova Scotia, in a letter dated April 1, said—

"Extreme privation and misery awaited those who might come to the colony, nor could they be assisted by their friends who preceded them, for they were found to labour under as great necessity."

The Lieutenant Governor of New Brunswick writes a despatch, in which he gives an account of the views entertained by the Legislature of New Brunswick, stating, that a Bill had been brought in relative to waste lands, and providing for the location of settlers; but, with every favourable disposition on the part of the Legislature to entertain the views of the Government, the design had been abandoned, and a Committee appointed to make inquiries on the subject. It was considered that distress and failure would follow the location of inexperienced emigrants; and the Lieutenant Governor of New Brunswick added that he had no expectation that any considerable number of emigrants could be employed in the province. You have the fact that the emigration has already been unusually large. May and June being the months in which the greater proportion of emigrants proceed to the colonies, we find that up to the middle of May the number who have left amounted to 120,0000; and we have reason to believe that the whole emigration for the year will not fall short of 200,000 persons. We have the testimony of the Gove[illegible]or of Nova Scotia, the Lieutenant Governo[illegible] of New Brunswick, and the Governor General of Canada, that while there is a disposition to receive those emigrants, there is at the same time an apprehension that their number may be too great for the labour in the province, and a doubt whether any facilities ought to be given for their introduction. In these particular circumstances I should be very sorry to do what might countenance the idea that we are disposed to take measures which would have the effect of throwing vast numbers of emigrants, not

upon the shores of the United States—for they have taken care to provide against the difficulty—but upon the shores of the British provinces of America, which have not yet made laws to prevent their hospitality being abused. Whatever resolution the House may pass, it would be most unwise, and it would obstruct the object of the noble Lord, if we countenanced the opinion that we were about to give effect to some very extensive scheme, founded chiefly on our desire not to be burdened with numbers of persons without subsistence in this country, instead of the desire to make provision for those persons, combined with views to the advantage of the colonies. I must remind the House that the plan of Mr. Godley, which has been recommended to me for consideration, not, I must say, for adoption, and which I was told was to be the foundation of the noble Lord's Motion, though the noble Lord, with great discretion, refused to follow it, is accompanied by the statement of its author, that little permanent good would accrue to Ireland, unless in the course of two years 2,000,000 people emigrated. Now only imagine the effect of a large emigration from this country, to be followed by an emigration to the extent of 2,000,000 in the course of the next two years. It is evident there would be no employment for them; they are destitute at home, and there would be no humanity, no policy, in sending them destitute to the other side of the Atlantic. There is a consideration connected with this subject which is very well stated in a despatch, dated April the 1st, from my noble Friend the Earl of Elgin. He refers to the interesting and numerous accounts which have been published as to settlers in the backwoods, and the hardships they have undergone. He speaks of the want of means for rendering the resources of the country available. "We hear," he says, "of bread being scarce where corn is cheap and abundant;" and the reason assigned is the difficulties arising from the scarcity of the mills and the badness of the roads. Are not those difficulties which remain to be remedied? It would be impossible for the Government of this country duly to provide for so many emigrants in the remote districts of Canada, and equally so for the provincial Government of the colony. The gradual progress of civilization, assisted by the application of the resources of this country, would effect the object as well as, under the circumstances, it would be possible to effect it; as well as it has been effected in the remote districts of the United States during the last twenty years. But when it is said, here are 2,000,000 people in Ireland, who ought to be provided for in the colonies—let them be conveyed to a distant hemisphere; the person who makes such a proposition does not consider that, during the three or four years that would be occupied in effecting the object, practical difficulties would arise which could not be overcome—difficulties of how to provide those people with the means of living, and of carrying on even the most ordinary trades, or the pursuits of agriculture. I think, Sir, this is a reason, not why we should desist from the consideration of further means of colonisation, but why any of us who are connected with the Government of the country, or any of those who take a leading part in the debates in this House, should not hold out expectations anything like those which some of these writers have held out—that while we might state our desire to promote colonisation—while we might look to it in conjunction with the Poor Law and other measures as likely to supply substantial assistance—we should at the same time say to the people of this country or of Ireland—"Do not suppose that the Government can at once give you ships to cross the Atlantic;" and that we should not say to our faithful fellow-subjects in North America, or even to our friends and allies the citizens of the United States, who have behaved so nobly towards us, that because there is a superabundance of population in this country, we are therefore determined to transfer our burden to them, regardless altogether of the mischiefs we might inflict on them. With regard to the Motion of the noble Lord, I have one remark to make, founded on that very despatch (which will be given to this House), written by my noble Friend at the head of the Colonial Department, and dated on the 1st of April, 1847, and which imposes on him, or would rather impose on me, if it were in my inclination to oppose the address of the noble Lord, a very great difficulty. My noble Friend says in that despatch—

> "I have only to add, that Her Majesty's Government share in the strong desire which has been so generally expressed, to promote the adoption of some well-considered and systematic plan of colonisation in British America, believing that this would be attended with great benefit both to the colonies and to the mother country."

The noble Earl's Motion is—

"That an humble Address be presented to Her Majesty praying that She will take into Her most gracious consideration the means by which Colonisation may be made subsidiary to other measures for the improvement of the social condition of Ireland; and by which, consistently with full regard to the interests of the colonies themselves, the comfort and prosperity of those who emigrate may be effectually promoted."

Now, the Government having declared, through my noble Friend, their wish and desire to promote the adoption of a systematic and well-considered plan of colonisation, I certainly could not resist a Motion such as that of the noble Lord, which professes only to express on the part of the House the same desire. But the noble Earl has not affixed that interpretation to his Motion; and if I do not vote against that Motion, I must at the same time tell the noble Earl candidly that I do not agree in the interpretation which he has put upon it, and which seemed to be adopted by the right hon. Gentleman opposite (Sir R. Peel), though not quite to the extent implied by the noble Earl. The noble Earl proposed that a Commission should be appointed to inquire further as to the means to be adopted for a systematic colonisation. Now, with regard to a great portion of the facts of the question, as to the destitution existing in Ireland, for instance, it is quite unnecessary that any Commission should be appointed; we have had Commissions in former years, and with regard to the facts of the present year, abundant information has been laid before the House. As to information relating to colonisation, I should conceive that the best information that could be obtained, and that remains now to be obtained, is to be got from our British American colonies. I remember that one gentleman (I think it is Mr. Godley himself) suggests that the Members of the unpaid Commission proposed should go over Canada and hold public meetings in different parts of the colony, explaining to the people their plans of colonisation, and speaking for the assent of those meetings. Now, it seems to me that nothing could be much more unsatisfactory than such a course—that persons should be called together by the town crier to assemble and hear plans of colonisation, not being told that any tax would be imposed on them, having none of the duty or responsibility of legislators as regards the execution of such plans. Of course, such meetings would come to resolutions in favour of those plans, as public meetings generally do after having heard speeches in favour of any particular project; and you would have some forty or fifty of such meetings approving of the plan or plans proposed, but without having properly considered the details. If you want to get valuable opinions, you should take, first, the opinion of the Governor General and Council; and, as we have talked of the merits of other governors, I am bound to say that no man could be more capable than Lord Elgin of laying before the Government and this House a distinct view, whether of the general policy of such a measure of colonisation, or of its details, or of the measures that would be required to carry it out effectively. I think next it would be desirable to have the opinion of experienced persons in the Executive Council, as well as that also of the Provincial Assembly. They should be called on for their opinion. How could that be done? Not by the new Commission proposed. What authority would they have? What power to call either on the Executive Council or the Legislative Assembly of Canada to give such opinions? They could have no connexion or transactions with them whatever. It would be necessary that such an inquiry should come from the Crown, and through those organs of the Crown in the province who are accustomed to transact business with those executive and legislative bodies. Therefore I think a separate Commission would not be necessary or useful in this respect. Well, would it answer the purpose of inquiry in this country? I think it would be unnecessary, because, as the right hon. Gentleman truly said, you have three gentlemen of considerable experience who have devoted themselves year after year to this subject, who are in possession of all ordinary information upon it, and who can call before them any person in this country whose opinions would be of practical weight, such as persons connected with the different companies and land societies, and other persons connected with Canada, who will give them all the information they want. Therefore in this respect there is no necessity for the new Commission. There is also another objection to it. The noble Lord has referred to several plans. His reference to them I do not consider supplies him with very encouraging precedents; for he says they were framed most of them by men of considerable talent; yet, when they were examined by men of practical authority, they were shown to be unfitted for the object of sound colonisation. A better

speech, too, on the subject of colonisation than that made by my right hon. Friend the Judge Advocate, when he sat on the other side of the House, I never heard in my life. But when the plan he proposed was sent out to Canada, it was examined and revised by Lord Metcalfe, who gave reasons which satisfied Lord Stanley and his Colleagues that such a plan ought not to be adopted. Again, my noble Friend at the head of the Colonial Department, when he came into office, sent for several persons connected with the colonies, and explained to them his plan. They pointed out faults in detail in his plan of establishing villages, which showed him that it would not succeed; and he at once abandoned the plan without asking the Government to proceed further with it. Mr. Godley's plan also is generally condemned here, and universally condemned in Canada. Yet these which I have enumerated, were three of the plans which the noble Earl mentioned. But if you had the separate Commission proposed, and they were to go through these plans, I cannot help thinking, that, having been specially appointed for the purpose of furthering some plan of colonisation, and not having on their shoulders the necessity of asking Parliament for the financial resources necessary to carry it out, and having the highest opinion of their own wisdom, they might frame perhaps a very fine paper plan, which it would cost some millions to carry out, leaving it to the Government of the day to bear the onus either of presenting it to Parliament at such a cost, or of being open to the imputation of neglecting the recommendations of the Commission. For these reasons, therefore, I think it far better, that if the principle involved in this resolution be adopted at once, the plan, for the present, at least, should be left entirely in the hands of the Executive Government. I am quite ready to say, as my noble Friend has already said in his despatch, that we wish "to promote the adoption of some well-considered and systematic plan of colonisation in British America." I should say that we are quite ready to direct the Governors of each of our British American provinces to consult the legislative bodies and the executive bodies as to those plans which are most likely to be useful to the colonies, and to which they will most readily lend an ear. I believe that without their aid and assistance—that unless we have their hearty feeling and co-operation —no plan can hope to be successful. I am quite ready to say, that we shall lay the whole result of these recommendations on the Table of the House; at the same time giving the opinion of the Government upon them in another Session of Parliament. I suppose the noble Lord does not expect—I am sure he is far too able and discreet to suppose—that any plan can be adopted in the course of the present Session of Parliament, or that we should attempt to check the stream of emigration which is so plentifully flowing into our American and other colonies. Until after communication with those colonies, no full information can be obtained. Of all the plans that have been under consideration, that which appears to me to be the most practical, is that of aiding and assisting public works in those provinces to which emigration is likely to be directed; but I do not think that the adoption of such a plan depends merely upon general maxims, or upon abstract policy on the subject of emigration. I think at this time, with the difficulties in the money market—with the immense absorption of capital in the construction of railroads in the United Kingdom—to ask the House for a fresh drain of money and a large diversion of capital, in order to aid public works in British North America, would be an inopportune and an unsuitable proposal for Government to make. I, therefore, think it is not a proposal which we ought to adopt merely because of its abstract wisdom or justice, if it is not suited to the particular time at which it is made; but that it is far better than any of those plans for making villages and collecting emigrants into small communities, I am fully persuaded. I am persuaded of it, not from any reasoning in my own mind on the subject, but because I understand it to be the unanimous testimony of all who are acquainted with the progress of our colonies in North America. They say, that if you send out able-bodied men who can obtain wages whether in farm labour or on roads and public works, and who, by earning good wages, may come in time to be possessed of little properties, those men will do well, and they may finally become useful settlers and good subjects, and promote the colonisation of the colony; but if you send out men whose habits in the United Kingdom unfit them for such a life, to form small communities in the back woods of Canada, you will find that your settlements will fail. Their want of experience, their want of knowledge—those

deficiencies to which my noble Friend has alluded in his despatch—the difficulty of having a plough or a spade mended, or their corn ground—all these difficulties occurring in a new settlement would dispirit them in the beginning of their career. Such being the case, while I fully agree in the opinion which has been stated by my noble Friend in his despatch, I agree likewise in the sentiment which follows it, where, speaking of a certain measure, he says—

"But, great as are the advantages of such a measure, still we must look to the evils which must flow from the hasty adoption of an ill-matured or impracticable scheme; nor do I think it possible to adopt any scheme without the hearty concurrence of the provincial assemblies."

That contains fully my opinion on this point. I am quite ready to assent to an Address nearly in the words of my noble Friend's despatch; but I am not ready—I must tell the noble Lord freely—to advise the Crown to appoint a Commission for this special object. It would give rise to extravagant expectations on this side of the Atlantic, and equally extravagant apprehensions on the other; and I think the result would be, that a Commission would lay before us a plan, which, however specious in appearance, would hardly bear the sifting which a full consideration by practical men of business would give to it. I think, therefore, it would be far better that the subject should be left in the hands of the Executive Government; fully agreeing with the noble Lord in the object he has in view—fully admitting the ability, the temper, the moderation of the speech with which he introduced his Motion; giving him the fullest credit for a wish not in any mode to embarrass the Government, or put any party obstacles in their way; and also giving him the fullest credit for wishing to aid and release the country from the difficulties which surround it.

MR. G. W. HOPE wished to be allowed to state in a few words the reasons why he supported the Motion of the noble Lord, without laying himself open to the imputations which were involved in the speech of the hon. Member for Northampton (Mr. V. Smith). The noble Lord who had just sat down, had stated, that his opinions on this subject had been modified by the practical difficulties which surrounded the subject. He knew from experience, however, that such a change of opinion, when announced by persons who had acceded to office, were generally supposed to be forced upon them by the circumstances of their position, and not to arise from an unbiassed consideration of the circumstances of the case. It was on this ground merely, that he wished to see the appointment of an impartial Commission, the authority of which would give weight to its opinion, and which could have no interest in shrinking from the discharge of the onerous duty, and no preconceived opinions to abandon. The noble Lord had also said, and he believed with perfect truth, that if his noble Friend (the Earl of Lincoln) considered that nothing had been done on the subject of emigration by the present and preceding Governments, he did them great injustice. He was glad to hear that argument from the noble Lord; he took it as an acknowledgment of what was due to that noble Lord (Lord Stanley), under whom he (Mr. Hope) had served, for the pains that noble Lord had taken in the matter. It had been said, that any great scheme of emigration would speedily put an end to voluntary emigration. It certainly was not his opinion that the appointment of a Commission would have the effect of arresting the progress of voluntary emigration—he believed, that nothing of the sort would stop the emigration now proceeding. Every one disposed to emigrate from Ireland, would, if able to do so, not lose a moment in quitting that country. Every one who had means of his own with which to emigrate, would now use those means for that purpose. It was no answer to the proposition of his noble Friend to say, that the effect of it would be to land great numbers upon the shores of America, in a condition of want and beggary, because it would produce no such results. With respect to granting land to the poorer order of emigrants, he must be allowed to say, that he thought that would be much better done by the authority of a Commission, than by anything that the Executive Government could accomplish. The decision by an impartial Commission, upon questions relating to emigration, would always have more weight than any order or regulation that the Executive Government might make. The hon. Gentleman opposite, the Under Secretary for the Colonies, referred to the probable expense which an extensive system of emigration might occasion. He was not prepared to say, that an extensive plan of emigration would not be attended with expense; but he must beg to remind the House, that the process of emigration was

one, which, when well regulated, could not fail to operate healthfully upon the whole community; and he therefore thought that the expense ought to be regarded as a secondary consideration. It would be impossible to found colonies without considerable expense; but it was an expense extremely well bestowed. In supporting the Motion of his noble Friend, he did by no means wish it to be understood that he regarded it as one leading to no expense. The existing condition of Ireland had already led to very great expense; the question, therefore, was one of comparative cost; but the language which he always held, was, that with the usual expense, colonies would be generally successful. Amongst the questions which the present discussions brought under their notice, that of comparative expense was one. They might ask themselves, would the comparative benefit to Ireland justify the proposed expenditure? He thought it would; and upon that ground he was prepared to support the Motion of his noble Friend. He should not go through all the topics which had been referred to, in the course of the speech which the House had heard from the hon. Member for Lambeth; but he thought himself justified in hoping—upon the grounds now laid before them—that they might safely and advantageously give their assent to the Motion of his noble Friend; and he ventured to express this opinion with the more confidence when he recollected that the noble Earl now at the head of the Colonial Department had intimated an intention of proposing, and, if possible, of carrying out a large scheme of emigration. If the noble Earl should act upon that intention, it might be productive of considerable good; but at all events it must have the effect of exciting much hope, and of unsettling men's minds. Trusting that some plan of colonisation might be adopted, he, without any hesitation, gave the support of his vote to the Motion of his noble Friend.

Mr. HUME was of opinion that, during the whole discussion, the question had been confined within too narrow limits. It had been treated as a question affecting Ireland alone, whilst, in fact, it was one which equally concerned England and Scotland. The whole of our colonial system required revision; and, if the noble Lord had purposed to extend his investigation so as to embrace an inquiry into the mode and effects of colonial government generally, the proposition would have received his (Mr. Hume's) cordial support. The misgovernment of the colonies was the cause of the limitation of emigration. He had that day received a file of papers from Prince Edward's Island, containing the intelligence that on the 6th of March the House of Assembly of that colony had, by a vote of 16 to 3, condemned the conduct of the Governor, and prayed the Colonial Office to grant them a representative government. A system of wholesale emigration would be more injurious to those who were the objects of it, than if they were allowed to remain at home. It was vain to hope that emigration would be attended with beneficial results until the Government of each colony should be brought to act in unison with the Home Government.

Mr. M. J. O'CONNELL begged to offer his thanks to the noble Lord for the manner in which he had brought the question before the House. It was gratifying to perceive indications that the opinion in favour of colonisation was acquiring consistency and force. The Under Secretary for the Colonies had spoken approvingly of the emigration at present going on from Ireland; but he believed, that if emigration were to continue in the course in which it had gone on for the last six months, the result would be disastrous to Ireland. The men who emigrated now were those whom it was desirable to retain at home—men with 50*l.* or 100*l.* in their pockets. If he were to consult his feelings alone, he should desire that none of the people of Ireland should be obliged to leave the land of their birth; but, it being impossible that that wish could be realized, he desired to see those who were compelled to emigrate located in other parts of the British dominions, where they might form prosperous communities without losing the national feelings and associations which endeared their original home to them. The hon. Member for Southampton had spoken as if the project of Mr. Godley was proposed as a substitute for a Poor Law in Ireland; but it was no such thing, and it was only justice to that Gentleman to say that he had long been an advocate for the introduction of such a law.

Lord J. MANNERS said, that there was one observation which fell from the noble Lord respecting Mr. Godley which he felt bound to notice. The noble Lord said that Mr. Godley's plan would have the effect of throwing 2,000,000 of miserable Irish persons on the shores of America and

our own provinces entirely destitute, and without the means of obtaining their livelihood by employment. He knew that Mr. Godley was in the position of a gentleman who, by force of argument and reason, had brought the Government to consider a question which they had long been disinclined to take up; but from the moment he had brought forward his plan, they had never said or written one word which would allow of such an inference as that the noble Lord had drawn. The charge of the noble Lord was completely unfounded, and he (Lord J. Manners) could not allow it to pass unnoticed.

SIR W. JAMES said, he did not quite collect whether the noble Lord intended any special inquiries to be made beyond those ordinarily made through the governors of colonies.

LORD J. RUSSELL said, there would be special inquiries upon this subject, but not by the appointment of a Commission.

SIR W. JAMES said, he thought that after many hon. Gentlemen had for months directed their energies to this subject, they had a right to demand an impartial inquiry into it, and he therefore regretted the course taken by the noble Lord.

MR. AGLIONBY only wished to allude to two points that had arisen during the debate, on which he thought the observations had been unjust, and not founded on fact. The hon. Member for Northamptonshire (Mr. V. Smith) had spoken of Mr. E. G. Wakefield's scheme of colonisation as a failure both in Australia and New Zealand; but in neither case had it had fair play; it was met with opposition from the authorities, and it was attempted to crush it in the bud; but it would yet be triumphant. He believed they would see it as a system of self-supporting colonisation, working without any expense to the country. He was confident a good scheme of emigration, in harmony with the Government, and under its superintendence, could be carried on by spirited individuals without a farthing of expense to the nation.

The EARL of LINCOLN replied: Had the debate remained in the position in which it was left by the hon. Under Secretary of the Colonies, I should have thought it necessary to explain why I could not accede to his request that I would withdraw my Motion. But as the noble Lord at the head of the Government, instead of calling on me to accede to that request, has acceded to mine, and consented to the Motion, it is unnecessary for me to trouble the House with any observations except one. The noble Lord has stated, in acceding to the letter of the Motion, that it is his intention—I do not use the word in an offensive sense—to evade the spirit in which it was introduced. Of course, it is not in my power to interfere with the mode in which the noble Lord may tender his advice to the Sovereign as Minister, when the Motion is carried. If the noble Lord is pleased to advise Her Majesty that this inquiry should not be made through the instrumentality of a Commission, I can no more interfere with his decision than, if he had appointed a Commission, I could interfere with the names placed on it. All I can say is, I adhere to the views I explained in the early part of the evening; I still believe the inquiry would be much more efficiently and beneficially conducted by such a Commission as I propose; and should certainly expect more favourable results from it, if the spirit as well as the letter of the resolution had been carried out. At the same time, I am not without hope that even this discussion may lead to some good, and that the Government may be induced by it to turn more deliberate attention to this subject than they would otherwise have done.

Motion agreed to.

THE WARMINSTER UNION.

MR. BOUVERIE rose to move for copies of all correspondence between the chairman of the board of guardians of the union of Warminster and the Poor Law Commissioners, relative to the refusal of the vicar of Warminster to bury Sarah Garrett, a pauper of that union; also, of all correspondence between the chairman and vice-chairman of the board of guardians and the Secretary of State, and between the Secretary of State and the diocesan of the vicar, upon the same subject. The hon. Gentleman was quoting some portions of ecclesiastical law bearing on the question, when

The House was counted out at One o'clock.

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VOLUME XCII.

BEING THE FOURTH VOLUME OF SESSION 1847.

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G. Woodfall and Son, Printers, Angel Court, Skinner Street, London.